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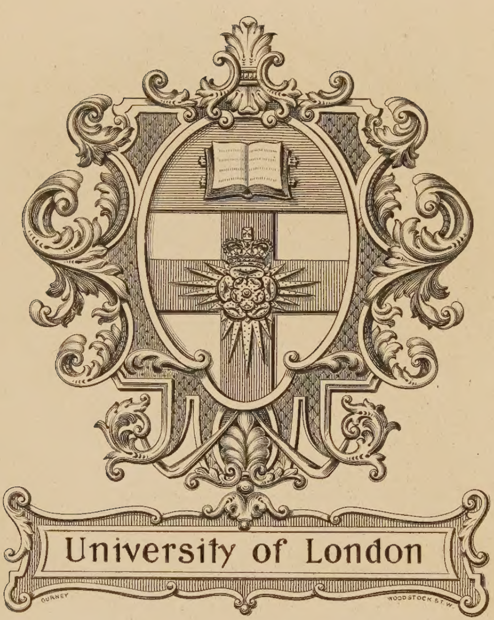
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HANSARD'S

PARLIAMENTARY DEBATES.

THIRD SERIES,

COMMENCING WITH THE ACCESSION OF
WILLIAM IV.

26° & 27° VICTORIÆ, 1863.

VOL. CLXXI.

COMPRISING THE PERIOD FROM
THE TWENTY-NINTH DAY OF MAY 1863,
TO
THE THIRTIETH DAY OF JUNE 1863.

Third Volume of the Session.

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VOLUME CLXXI.

THIRD SERIES.

BEING ALSO AN ABSTRACT OF THE LORDS' "MINUTES OF PROCEEDINGS," AND THE COMMONS' "VOTES AND PROCEEDINGS," IN RELATION TO THE PUBLIC BUSINESS OF THE SESSION.

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*The * indicates that there was no Debate at that stage of the Bill.*

COMMONS, FRIDAY, MAY 29.

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Main Question put, and *agreed to :—*

Supply *considered* in Committee :—

Committee report Progress ; to sit again on *Monday* next.

Expiring Laws—On Motion of *Mr. Peel,* Select Committee *appointed,*

"To inquire what temporary Laws of a public and general nature are now in force, and what Laws of the like nature have expired since the last Report upon the subject, and also what laws of the like nature are about to expire at particular periods, or in consequence of any contingent public events, and to report the same, with their observations thereupon, to the House."

And on June 3, Committee *nominated,* as follow :—

Mr. Peel, Mr. Massey, Sir Stafford Northcote, Mr. Attorney General, Mr. Solicitor General, Mr. Adderley, Mr. Cowper, Sir William Jolliffe, Colonel French, Mr. Baring, Mr. Williams, Mr. Brand, and Lord John Manners :—Power to send for persons, papers, and records ; Three to be the quorum.

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Bill to carry into effect an Additional Article to the Treaty of the seventh day of April one thousand eight hundred and sixty-two, between Her Majesty and the United States of America, for the suppression of the African Slave Trade, *presented,* and read 1° *. [Bill 144.]

House adjourned at One o'clock.

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Public Bills — *Committee* — Savings Banks Monies * (No. 97).

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Original Question put, and *agreed to.*

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Amendment *agreed to.*

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Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Adderley.*) 240

Question proposed, "That the word 'now' stand part of the Question."

Amendment, by leave, *withdrawn.*

Order for Third Reading read, and *discharged.*

Bill *re-committed; considered* in Committee; Committee report Progress; to sit again on *Friday.*

HOLYHEAD HARBOUR—

On Motion of *Mr. Laird,* Select Committee *nominated:—*

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House adjourned at a quarter before Two o'clock.

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MINUTES.]—SELECT COMMITTEE — Appeal Committee, *Second Report.*

PUBLIC BILL — *Third Reading* — Savings Banks Monies* (No. 97), and *passed.*

Their Lordships met; and having gone through the business on the Paper without Debate,

House adjourned at a quarter past Five o'clock.

COMMONS, TUESDAY, JUNE 2.

MINUTES.]—NEW MEMBER SWORN—George Joachim Goschen, esquire, *for* London.

SELECT COMMITTEE—*Report*—on Public Accounts—*Second Report* [No. 309].

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House counted, and Forty Members not being present,

House adjourned at a quarter
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SELECT COMMITTEE—Expiring Laws, *nominated** (*See* May 29, p. 148).
SUPPLY—*Resolutions* (June 1) *reported**—CIVIL SERVICE ESTIMATES.
WAYS AND MEANS—*considered* in Committee.
PUBLIC BILLS—*First Reading*—Regimental Debts* [Bill 149]; Stipendiary Magistrates* [Bill 150].
Second Reading—Public-houses [Bill 67], *negatived*; Sheep and Cattle (Scotland)* [Bill 115]; Fisheries (Ireland) [Bill 137].
Committee—Metropolis Turnpike Roads Acts Amendment* [Bill 131] (*on re-committal*)—R.P.
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Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Captain Jervis.*) 287

After long Debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 103, Noes 278; Majority 175:—Words *added.*

Main Question, as amended, put, and *agreed to*:—Bill *put off* for three months.

Fisheries (Ireland) Bill [Bill 137]—

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Resolution,

That, in lieu of the Duty now chargeable on a Victualler's Occasional Licence specified in Schedule (B) of the Act passed in the last Session of Parliament, chapter 22, there shall be charged and paid the following Duty (that is to say):

For and upon every single Occasional Licence to be granted to any person who shall be duly authorized to keep a common inn, alehouse, or victualling house, and licensed to sell therein beer, spirits, wine, or tobacco, to sell the like articles for which he shall be so licensed at any such other place, and for and during such space or period of time not exceeding six days, as shall be specified in such Occasional Licence, the sum of two shillings and sixpence for every day so specified as aforesaid for which the same shall be granted:

But when more than one such Occasional Licence shall be granted for times in immediate succession, or only separated by the intervention of Sundays and holidays, then the price of every such Licence following the first, and for a number of days not exceeding six, shall be ten shillings.—(*The Chancellor of the Exchequer.*) 319

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Stipendiary Magistrates Bill—

Bill to enable Cities, Towns, and Boroughs of twenty-five thousand inhabitants and upwards to appoint Stipendiary Magistrates, *presented,* and read 1°.* [Bill 150.]

House adjourned at a quarter
before Six o'clock.

LORDS, THURSDAY, JUNE 4.

Telegraphs Bill (No. 86)—

Order of the Day for the House to be put into Committee on, read, and *discharged;* and Bill *referred* to a Select Committee: The Lords following were named of the Committee:—

D. Richmond, M. Bath, Ld. Steward, E. Shrewsbury, E. Devon, E. Romney, E. Stradbroke, L. Blantyre, L. Wodehouse, L. Redesdale, L. Somerhill, L. Portman, L. Stanley of Alderley, L. Lyveden.

House adjourned at a quarter
past Five o'clock.

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MINUTES.]—SELECT COMMITTEE—Thames Conservancy, Mr. Hankey *added**.

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WAYS AND MEANS — Resolution (June 3) *reported,* and *agreed to**.

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Bill *reported*; as amended, to be considered on *Monday* next, and to be *printed.* [Bill 152.]

SUPPLY *considered* in Committee—CIVIL SERVICE ESTIMATES:— .. 367

(In the Committee.)

(1.) Motion made, and Question proposed,

"That a sum, not exceeding £5,329, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1864, for the Maintenance and Repairs of Embassy Houses, &c. Abroad." 367

Whereupon, Motion made, and Question put,

"That a sum, not exceeding £4,929, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for the Maintenance and Repairs of Embassy Houses, &c. Abroad."—(*Lord R. Cecil.*) 369

The Committee *divided*; Ayes 74, Noes 68; Majority 6.

Original Question, as amended, put, and *agreed to.*

(2.) £748, British Consulate, Constantinople.

(3.) £30,000, to complete the sum for the new Foreign Office .. 373
After Debate, Vote *agreed to.*

(4.) £8,674, Industrial Museum, Edinburgh.

(5.) £1,459, Aberdeen University.

(6.) £22,000, Probate Court Registries.

(7.) £3,727, General Register House, Edinburgh.

(8.) £20,000, Public Record Repository.

(9.) £1,806, Court of Probate Principal Registry 375
After short Debate, Vote *agreed to.*

(10.) £1,500, Site of the New Foreign Office 377
After short Debate, Vote *agreed to.*

(11.) £12,000, Westminster Bridge Approaches. 378
After short Debate, Vote *agreed to.*

(12.) £12,357, to complete the sum for New Westminster Bridge. .. 378
After short Debate, Vote *agreed to.*

(13.) £983, National Gallery, Dublin, *agreed to.*

Motion made, and Question proposed, "That the Chairman report Progress." —(*Mr. W. Williams.*) 380

Motion *agreed to.*

Resolutions to be reported *To-morrow*; Committee to sit again *To-morrow.*

Drainage and Improvement of Land (Ireland) Bill [Bill 106]—

Motion made, and Question proposed, "That the Bill, as amended, be now taken into Consideration."—(*Mr. Peel.*) 381

Amendment proposed, "That the Debate be now adjourned."—(*Mr. Scully.*)

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to*:—Bill, as amended, *considered*; Amendments made; to be read 3° *To-morrow.*

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Watchmen in Towns (Ireland) Bill [Bill 102]—

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Bagwell.*) 382

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day three months, resolve itself into the said Committee,"—(*Sir Robert Peel,*) —instead thereof.

After short Debate, Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Bill *considered* in Committee, and *reported,* without Amendment; to be read 3° *To-morrow.*

House adjourned at a quarter
before Two o'clock.

LORDS, FRIDAY, JUNE 5.

MINUTES.] — Select Committee — Telegraphs Bill, Earl of Airlie *added.*
Public Bills—*Second Reading*—Vaccination (Ireland) (No. 108); Bakehouses Regulation (No. 85).
Committee—Duchy of Cornwall Management [h.l.] (No. 106, 118), *on re-commitment.*

Duchy of Cornwall Management Bill [h.l.] (No. 106)—

Moved, That the House be put into a Committee on the said Bill (*on re-commitment*): (*The Duke of Newcastle.*) 384

After Debate, Motion *agreed to:* House in Committee:—

Clauses 1 to 7 *agreed to.*
Clause 8 (Incapacitated Persons empowered to convey)—After short Debate, Clause *agreed to.* 391
Clauses 9 to 38 *agreed to.*
Clause 39 (Proviso as to Grants of Land for Sites of Churches, &c.)—After Debate, an Amendment made :—Clause, as amended, *agreed to.* 392
Remaining Clauses *agreed to.*

Report of the Amendments to be received on *Tuesday* next; and Bill to be *printed* as amended. (No. 118.)

Vaccination (Ireland) Bill (No. 108)—

On Motion of *The Earl of St. Germans,* Bill, after short Debate, read 2^a, and *committed* to a Committee of the Whole House on *Tuesday* next. .. 396

Bakehouses Regulation Bill (No. 85)—

On Motion of *Lord Stanley of Alderley,* Bill, after short Debate, read 2^a, and *committed* to a Committee of the Whole House on *Monday* next. .. 396

Royal Victoria Patriotic Asylum — Question, Lord St. Leonards; Answer, The Duke of Newcastle 397

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Seven o'clock.

COMMONS, FRIDAY, JUNE 5.

MINUTES.]—Supply — *considered* in Committee—Civil Service Estimates; Resolutions (June 4) *reported* *.
Public Bills—*Ordered*—Public Works (Manufacturing Districts).
Committee—Cayman Islands (*Lords*) [Bill 132]; Offences (South Africa) (*Lords*) [Bill 113], *on re-committal*—r.p.
Report—Cayman Islands.
Considered as amended—Inland Revenue* [Bill 115].
Third Reading—Drainage and Improvement of Land (Ireland) [Bill 106], *Debate adjourned;* District Parochial Churches (Ireland)* [Bill 122], and *passed.*

Lisburn Election—

House informed, that the Committee had determined—

That John Doherty Barbour, esquire, is not duly elected a Burgess to serve in this present Parliament for the Borough of Lisburn.
That the last Election for the said Borough is a void Election.

And the said Determinations were ordered to be entered in the Journals of this House.

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LISBURN ELECTION—Report of Select Committee—*continued.*

House further informed, that the Committee had agreed to the following Resolutions:—

That John Doherty Barbour, esquire, was, by himself and his Agents, guilty of bribery and treating at the last Election:

That Samuel Thomas Corry, a Non-Elector, was bribed by Agents of the said John Doherty Barbour, in order to induce him to personate his late father, (who died in November last, and who had been an Elector,) and to vote for the said John Doherty Barbour:

That the said John Doherty Barbour did himself endeavour to corrupt James Bannister, a Voter; and that James Bannister was subsequently offered the sums of £50 and £60 by Agents of the said John Doherty Barbour, to induce him to vote for the said John Doherty Barbour:

That several of the Voters were forcibly detained and guarded by armed men, in a room belonging to the said John Doherty Barbour and his Partners, for several days previous to the Election; and during that time were subject to undue influence and treating, with the view of inducing them to vote for the said John Doherty Barbour ... 402

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PUBLIC BUSINESS—MORNING SITTINGS—IRISH FISHERIES BILL—Notice, Viscount Palmerston 405

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

PERMANENT COMMISSIONER OF PUBLIC WORKS AND BUILDINGS—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "for the sake of obtaining greater unity of design in our public buildings, and with a view to the efficiency and economy of the public service, it is desirable a permanent Commissioner of Public Works and Buildings, or other officer, should be appointed to the present Board of Works,"—(*Mr. Baillie Cochrane,*)—instead thereof. 406

Question proposed, "That the words proposed to be left out stand part of the Question." 414

After Debate, Amendment, by leave, *withdrawn.*

THE ORDNANCE SURVEY—Observations, Mr. H. Baillie .. 425

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Main Question put, and *agreed to*:—

SUPPLY *considered* in Committee—CIVIL SERVICE ESTIMATES:— .. 450

(In the Committee.)

(1.) Motion made, and Question proposed,

"That a sum, not exceeding £165,000, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for constructing certain Harbours of Refuge."

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SUPPLY—Civil Service Estimates—*continued.*

Whereupon Motion made, and Question proposed, "That the item of £80,000, for the Harbour at Alderney, be omitted from the proposed Vote."—(*Mr. Lindsay.*) 451

After Debate, Question put:—The Committee *divided;* Ayes 62, Noes 76; Majority 14.

Original Question put, and *agreed to.*

(2.) Motion made, and Question proposed,

"That a sum, not exceeding £48,339, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for Works and Expenses at the New Packet Harbour and Harbour of Refuge at Holyhead, for Portpatrick Harbour, and for Works at Spurn Point." 458

Whereupon Motion made, and Question proposed,

"That a sum, not exceeding £43,339, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for Works and Expenses at the New Packet Harbour and Harbour of Refuge at Holyhead, for Portpatrick Harbour, and for Works at Spurn Point."—(*Sir Hugh Cairns.*) 461

Motion, by leave, *withdrawn.*

Original Question again proposed:—

Whereupon Motion made, and Question proposed,

"That a sum, not exceeding £47,339, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for Works and Expenses at the New Packet Harbour and Harbour of Refuge at Holyhead, for Portpatrick Harbour, and for Works at Spurn Point."—(*Mr. A. Smith.*) 467

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(3.) Motion made, and Question proposed,

"That a sum, not exceeding £86,618, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for Erecting, Repairing, and Maintaining the several Public Buildings in the Department of the Commissioners of Public Works in Ireland." 467

Whereupon Motion made, and Question put,

"That a sum, not exceeding £89,618, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for Erecting, Repairing, and Maintaining the several Public Buildings in the Department of the Commissioners of Public Works in Ireland."—(*Mr. Maguire.*) 471

After Debate, Question put:—The Committee *divided;* Ayes 19, Noes 84; Majority 65.

Original Question put, and *agreed to.*

Resolutions to be reported on *Monday* next; Committee to sit again on *Monday* next.

Drainage and Improvement of Land (Ireland) Bill [Bill 106]—

Motion made, and Question proposed, "That the Bill be now read the third time." 472

Amendment proposed, to leave out from the word "be" to the end of the Question, in order to add the word "re-committed."—(*Mr. Hennessy.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

Debate *adjourned* till *Monday* next.

Cayman Islands Bill (*Lords*) [Bill 132]—

Bill *considered* in Committee:— 474

Bill *reported,* with Amendments; as amended, to be considered on *Monday* next.

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Offences (South Africa) Bill (*Lords*) [Bill 113]—

Bill *considered* in Committee:— 474

(In the Committee.)

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again:"—(*Mr. Hennessy*:)— The Committee *divided;* Ayes 30, Noes 40; Majority 10. 475

After short Debate, Committee report Progress; to sit again on *Thursday* next.

RELIGIOUS ENDOWMENTS (IRELAND)—

Order for resuming Adjourned Debate on Amendment (*Mr. H. Seymour*) proposed to Question (*Mr. Dillwyn*) [19th May] read. .. 475

Motion made, and Question proposed, "That the Debate be further adjourned till this day three months."—(*Mr. Vance.*) 476

After Debate, Motion, by leave, *withdrawn.*

Debate *further adjourned* till *Tuesday* next.

Public Works (Manufacturing Districts) Bill—

On Motion of *Mr. C. P. Villiers*, Bill to facilitate the execution of Public Works in certain Manufacturing Districts; to authorize for that purpose advances of Public Money, to a limited amount, upon security of Local Rates; and, to shorten the period for the adoption of the Local Government Act, 1848, in certain cases, *ordered* to be brought in by Mr. Villiers and Mr. Chancellor of the Exchequer. 478

House counted; and 40 Members not being present,

House adjourned at half after Two o'clock.

LORDS, MONDAY, JUNE 8.

MINUTES.]—PUBLIC BILLS—*First Reading*—Suitors Conciliation * (No. 120).
Second Reading—Prison Ministers (No. 109); Thames Embankment (North Side)* (No. 107); Salmon Fisheries (Scotland) Act Continuance * (No. 112).
Committee—Bakehouses Regulation* (Nos. 85 and 122).
Royal Assent—Customs and Inland Revenue [26 & 27 *Vict.*, c. 22];
Hares (Ireland) [26 & 27 *Vict.*, c. 19];
Elections during Recess [26 & 27 *Vict.*, c. 20];
Illegitimate Children (Ireland) [26 & 27 *Vict.*, c. 21];
Drainage of Land (Ireland) [26 & 27 *Vict.*, c. 26];
Marriages, &c. (Ireland) [26 & 27 *Vict.*, c. 27];
New Zealand Boundaries [26 & 27 *Vict.*, c. 23];
Corrupt Practices at Elections [26 & 27 *Vict.*, c. 29];
Savings Banks Monies [26 & 27 *Vict.*, c. 25];
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Stock Certificates to Bearer [26 & 27 *Vict.*, c. 28].

POLAND—Question, The Earl of Ellenborough; Answer, Earl Russell .. 479

Prison Ministers Bill (No. 109)—

Moved, That the Bill be now read 2ª: (*The Duke of Somerset.*) .. 496

Amendment *moved*, to leave out ("now") and insert ("this Day Six Months"): (*Lord Berners.*) 499

After long Debate, on Question, That ("now") stand Part of the Motion? their Lordships *divided;* Contents 65, Not-Contents 30; Majority 35.

Resolved in the *Affirmative:* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

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House adjourned at a quarter before Nine o'clock.

COMMONS, MONDAY, JUNE 8.

MINUTES.]—SUPPLY—*considered* in Committee—CIVIL SERVICE ESTIMATES.
PUBLIC BILL—*First Reading*—Public Works (Manufacturing Districts)* [Bill 154].

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Public Works (Manufacturing Districts) Bill—

Bill to facilitate the execution of Public Works in certain Manufacturing Districts; to authorize for that purpose advances of Public Money, to a limited amount, upon security of Local Rates; and to shorten the period for the adoption of the Local Government Act, 1858, in certain cases, *presented*, and read 1°*. [Bill 154.]

SEA FISHERIES—Answer to Address [2nd June] *reported*, as follows:—

I have received your Address, praying that a Royal Commission of Inquiry into our Sea Fisheries may be issued, with the view of increasing the supply of a favourite and nutritious article of Food for the benefit of the Public.

And I have given directions that a Commission shall issue for the purpose which you have requested.

IRELAND—POLICE IN TIPPERARY—Question, Mr. Bagwell; Answer, Sir Robert Peel 515

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INDIAN TELEGRAPH DEPARTMENT—Question, Mr. White; Answer Mr. T. G. Baring 516

THE DOVER, OSTEND, AND CALAIS PACKET SERVICE—Question, Sir Stafford Northcote; Answer, Mr. Peel 517

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ADMISSION OF CASUAL POOR TO WORKHOUSES—Question, Viscount Raynham; Answer, Mr. C. P. Villiers 523

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

EDINBURGH BOTANICAL GARDENS—OPENING ON SUNDAYS—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the Royal Botanical Gardens of Edinburgh should be open to the Public after the hours of Divine Service on Sundays, as is the case of other Botanical Gardens supported by Parliamentary Grants,"—(*Mr. Gregory,*)—instead thereof, ... 525

Question proposed, "That the words proposed to be left out stand part of the Question."

After Debate, Question put:—The House *divided;* Ayes 123, Noes 107; Majority 16.

WAR OFFICE CIRCULAR—Question, Mr. Peacocke; Answer, The Marquess of Hartington 545

Main Question put, and *agreed to:—*

SUPPLY *considered* in Committee—CIVIL SERVICE ESTIMATES:— .. 546

(In the Committee.)

(1.) £8,000, to complete the sum for New Record Buildings, Dublin.

(2.) £800, Franklin Monument.

(3.) £6,000, Nelson Column.

After Debate, Vote *agreed to.* 546

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SUPPLY—Civil Service Estimates—*continued.*

Motion made, and Question proposed,

"That a sum, not exceeding £28,914, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for erecting and maintaining certain Lighthouses Abroad." 551

Whereupon Motion made, and Question proposed, "That the Item of £8,000, for the Little Basses Rocks Light-ship (re-Vote), be omitted from the proposed Vote."—(*Mr. Childers.*) 551

Committee counted, and 40 Members not being present, Mr. Speaker resumed the Chair.

House counted; and 40 Members not being present,

House adjourned at a quarter after Eight o'clock.

LORDS, TUESDAY, JUNE 9.

MINUTES.]—*Took the Oaths*—The Lord Bishop of Limerick.

Public Bills — *First Reading* — District Parochial Churches * (No. 126).

Second Reading — Security from Violence (No. 103).

Committee—Vaccination (Ireland) * (No. 108).

Report—Bakehouses Regulation * (No. 122).

Security from Violence Bill (No. 103)—

Moved, That the Bill be now read 2ª: (*The Earl of Carnarvon.*) .. 553

Amendment *moved,* to leave out ("now") and insert ("this Day Six Months"): (*Lord Cranworth.*) 557

After Debate, on Question, That ("now") stand Part of the Motion? *Resolved* in the *Affirmative:* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* the 18th Instant.

Duchy of Cornwall Management Bill (No. 118)—

Moved, That the Report of Amendments be received: (*The Duke of Newcastle.*) 564

Amendment proposed, that the objectionable Clauses be further considered and amended.—(*Lord Redesdale.*) 568

After Debate, Report of Amendments *put off* to *Friday* next.

House adjourned at Seven o'clock.

COMMONS, TUESDAY, JUNE 9.

MINUTES.] — Select Committee — Board of Admiralty (*Debate adjourned*).

Supply—Resolutions (June 5) *reported.*

Public Bills—*Ordered*—Postmaster General (Sale of Land) *.

First Reading — Misappropriation by Servants * [Bill 156]; Casual Poor (Metropolis)* [Bill 155].

Second Reading — Officers of Royal Naval Reserve * [Bill 142].

Committee—Sheep and Cattle (Scotland) [Bill 115]; Local Government Supplemental * [Bill 151], *on re-committal;* Dockyards Protection Act Amendment (*Lords*) * [Bill 130].

Report—Sheep and Cattle (Scotland); Local Government Supplemental *; Dockyards Protection Act Amendment *.

Third Reading — African Slave Trade Treaty * [Bill 144], and *passed;* Inland Revenue * [Bill 145], and *passed.*

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RELIEF OF CASUAL POOR—Question, Viscount Raynham; Answer, Mr. C. P. Villiers 573

UNIFORMITY ACT—Motion made, and Question proposed, "That, in the opinion of this House, the subscription required from the Clergy to the Thirty-nine Articles, and to the Prayer Book, ought to be relaxed."—(*Mr. Buxton.*) 590

Amendment proposed, to leave out the words "Thirty-nine Articles, and to the".—(*Mr. Monckton Milnes.*) 594

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Original Question again proposed:—

Moved, the Previous Question, *Sir George Grey.*

After long Debate, *Previous Question,* "That that Question be now put,"—put, and *negatived.*

THE BOARD OF ADMIRALTY—Motion made, and Question proposed, "That a Select Committee be appointed to inquire into the constitution of the Board of Admiralty, and into the different departments under the control of that Board."—(*Mr. Dalglish.*) 657

Debate *adjourned* till *Thursday.*

Sheep and Cattle (Scotland) Bill [Bill 115]—

Bill *considered* in Committee:— 671

(In the Committee.)

Clause 1 and 2 *agreed to.*

Clause 3 *struck out.*

Motion made, and Question proposed, "That the Chairman report Progress."

Motion, by leave, *withdrawn.*

Bill *reported;* as amended, to be considered on *Monday* next.

SUPPLY—Resolutions (June 5) *reported*:—

Motion made, and Question proposed, "That the said Resolutions be now read a second time." 672

Motion made, and Question, "That the Debate be now adjourned,"—(*Sir James Elphinstone,*)—put, and *agreed to.*

Debate *adjourned* till *To-morrow.*

Misappropriation by Servants Bill—

On Motion of *Mr. Staniland,* Bill to amend the Law in certain cases of Misappropriation by Servants of the Property of their Masters, *ordered* to be brought in by Mr. Staniland, Sir Montague Cholmeley, and Colonel Pennant:—Bill *presented,* and read 1°*. [Bill 156.]

Postmaster General (Sale of Land) Bill—

On Motion of *Mr. Peel,* Bill to enable Her Majesty's Postmaster General to sell and otherwise dispose of Land; and for other purposes, *ordered* to be brought in by Mr. Peel and Sir William Dunbar.*

Casual Poor (Metropolis) Bill—

On Motion of *Viscount Raynham,* Bill to provide proper and sufficient accommodation for the Casual Poor in the Metropolis, *ordered* to be brought in by Viscount Raynham, Sir Stafford Northcote, and Mr Wykeham Martin:—Bill *presented,* and read 1°*. [Bill 155.]

House adjourned at a quarter before Two o'clock.

COMMONS, WEDNESDAY, JUNE 10.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Election Petitions [Bill 124].

Committee—Innkeepers' Liability (No. 1) [Mr. Wykeham Martin] [Bill 18]; Savings Banks Acts Amendment [Sir Henry Willoughby] [Bill 80]; Metropolis Turnpike Road Acts Amendment [Bill 131], *on re-committal;* Officers of Royal Naval Reserve* [Bill 142], *on re-committal.*

Report—Innkeepers' Liability (No. 1) [Mr. Wykeham Martin] [Bill 157]; Savings Banks Acts Amendment [Sir Henry Willoughby] [Bill 158]; Metropolis Turnpike Roads Acts Amendment; Officers of Royal Naval Reserve*.

Third Reading — Local Government Supplemental* [Bill 165], and *passed;* Dockyards Protection Act Amendment (*Lords*)* [Bill 130], and *passed.*

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Innkeepers' Liability (No. 1) Bill [Mr. Wykeham Martin]—[Bill 18]—

Bill *considered* in Committee :— 674

(In the Committee.)

Clause 1 (Responsibility of Innkeepers)—After short Debate, Clause *negatived.*

Remaining Clauses *agreed to.*

New Clause, " No innkeeper after the passing of this Act shall be liable to make good to any guest of such innkeeper, any loss of, or injury to goods or property brought to his inn, not being a horse or other live animal, or any gear appertaining thereto, or any carriage, to a greater amount than the sum of £30, except in the following cases ; that is to say, where such goods or property shall have been stolen, lost, or injured through the wilful default or neglect of such innkeeper, or any servant in his employ ; where such goods or property shall have been deposited expressly for safe custody with such innkeeper, or his servant authorized by him for that purpose : Provided always, that in the case of such deposit it shall be lawful for such innkeeper, if he think fit, to require, as a condition of his liability, that such goods or property shall be deposited in a box or other receptacle and that the person depositing the same shall affix his seal to the fastening thereof."—(*Mr. Hunt.*) 674

Proviso proposed to be added, " That it shall be incumbent on the guest to prove that the property was in his possession in the inn."—(*Mr. Roebuck.*) 674

Proviso, by leave, *withdrawn* :—Clause *agreed to.*

New Clauses—

1. " If any innkeeper shall refuse to receive for safe custody, as before mentioned, any goods or property of his guest, or if any such guest shall, through any default of such innkeeper, be unable to deposit such goods or property as aforesaid, he shall not be entitled to the benefit of this Act, in respect of such goods or property."

2. " Every innkeeper shall cause to be printed in plain type the first section of this Act, and shall cause at least one copy thereof to be exhibited in a conspicuous part of the hall or entrance to his inn, and he shall be entitled to the benefit of this Act in respect of such goods or property only as shall be brought to his inn while such copy shall be so exhibited ; and he shall also append to such copy a notice in writing, signed by himself, containing the name of the servant (if any) authorized by him to receive goods and property for safe custody."—(*Mr. W. Martin.*) ... 675

Clauses *agreed to.*

Bill *reported ;* as amended, to be considered on *Friday*, and to be *printed.* [Bill 157.]

Savings Banks Acts Amendment Bill [Sir Henry Willoughby]—[Bill 80]—

Bill *considered* in Committee :— 676

(In the Committee.)

Clauses 1 to 4 *agreed to.*

Clause 5 (Titles to be assumed by Savings Banks)—After short Debate, Clause *agreed to* 676

Clause 6 (Attendance of Trustees or Officers)—Amendment (*Mr. Crum-Ewing*) moved ; and *withdrawn* 676

Clauses 7 to 62, inclusive, *agreed to.*

Clauses 63, 64, 65, and 66 *struck out.*

Remaining Clauses *agreed to.*

New Clause after Clause 37—The manager of any savings bank may, on an application in writing from any depositor therein who has effected with any society for the assurance of lives established within the United Kingdom a policy of assurance for any amount not exceeding two hundred pounds, accompanied by the production of such policy, agree, out of the funds standing to the account of such depositor, from time to time to pay over to such society such sums as are mentioned in such request and policy, as premiums thereon, subject to such allowance by way of remuneration as may be agreed upon with the society for making such payment ; and when any such agreement has been made, the manager of such bank for the time being shall, out of such funds, continue to make the payments so agreed to until he receive a notice in writing from such depositor requiring such payments to be suspended, or until the contingency happens whereon the policy depends.—(*Mr. Hibbert.*) ... 677

After short Debate, Clause, by leave, *withdrawn.*

Bill *reported ;* as amended, to be considered on *Wednesday* next, and to be *printed.* [Bill 158.]

Election Petitions Bill [Bill 124]—

On Motion of *Mr. Hunt,* Bill read 2°, after Debate, and *committed* for *Wednesday* next 677

Metropolis Turnpike Roads Acts Amendment (*re-committed*) **Bill** [Bill 131]—

Bill *considered* in Committee:— 687

(In the Committee.)

Clause 7 (Toll Houses, &c. to be removed, with option to Parishes to purchase Pumps, &c.)—Amendment proposed, in page 5, line 10, to leave out from the word "Bars" to the word "Commissioners" in line 11, inclusive.—(*Mr. Cox.*)

Question put, "That the words proposed to be left out stand part of the Clause:"—The Committee *divided;* Ayes 54, Noes 11; Majority 43.

Additional Clause moved—"Whereas the parish highways are now in a good state of repair; therefore, they shall, until the 1st day of July 1864, be kept in repair by the Commissioners, and be by them delivered up to the several parishes in the like and as good state of repair and condition as they are now in, the same to be metalled with the same or like materials as now—that is to say, with peving where paving is now used, with granite where granite is now used, with flint where flint is now used, with gravel where gravel is now used, and so on."—(*Mr. Harvey Lewis.*) ... 687

Clause *brought up*, and read 1°.

Motion made, and Question put, "That the said Clause be now read a second time:"—The Committee *divided;* Ayes 12, Noes 41; Majority 29.

Bill *reported;* as amended, to be considered on *Monday* next.

House adjourned at ten minutes before Six o'clock.

LORDS, THURSDAY, JUNE 11.

MINUTES.]—PUBLIC BILLS—*First Reading*—Inland Revenue * (No. 128); African Slave Trade Treaty * (No. 129); Local Government Supplemental * (No. 130).
Report—Vaccination (Ireland) * (No. 108).
Third Reading — Bakehouses Regulation * (No. 122), and *passed.*

POLAND—CONVENTION BETWEEN RUSSIA AND PRUSSIA — Question, The Earl of Carnarvon; Answer, Earl Russell 688

House adjourned at Six o'clock.

COMMONS, THURSDAY, JUNE 11.

MINUTES.]—NEW MEMBER SWORN—Lieutenant Colonel Charles George Tottenham, *for* New Ross.
SUPPLY — *considered* in Committee — CIVIL SERVICE ESTIMATES.
Resolutions reported — Adjourned Debate (9th June) on Resolution (June 5) *resumed;* Resolutions *agreed to.*
PUBLIC BILLS—*First Reading* — Newcastle-upon-Tyne (St. Mary Magdalen Hospital) * [Bill 162]; Ruthin Charities * [Bill 161]; Sir Robert Hitcham's Charity * [Bill 160]; Charitable Uses * [Bill 164]; Militia Pay * [Bill 163.]
Second Reading — Regimental Debts, &c. * [Bill 149].
Committee—Offences (South Africa) (*Lords*) * [Bill 113], on *re-committal.*
Report—Offences (South Africa) *.
Considered as amended — Volunteers [Bill 152]; Cayman Islands (*Lords*) * [Bill 132].
Third Reading—Drainage and Improvement of Land (Ireland) [Bill 106], *Adjourned Debate* (5th June) *resumed;* Bill *re-committed; considered,* and *reported; considered* as amended; — Officers of Royal Naval Reserve * [Bill 142], and *passed.*

SLAVE TRADE—Question, Mr. Coningham; Answer Viscount Palmerston 697

THE REFRESHMENT DEPARTMENT OF THE HOUSE—Question, Mr. Henry Seymour; Answer, Colonel French 698

EMPLOYMENT OF CHILDREN IN POTTERIES AND PAPER TUBE FACTORIES — Question, Mr. Ferrand; Answer, Sir George Grey 699

SMALL-POX PATIENTS IN PUBLIC VEHICLES—Question, Sir Andrew Agnew; Answer, The Attorney General 700

THE ARGENTINE REPUBLIC AND THE BRITISH CLAIMS — Question, Mr. Clay; Answer, Mr. Layard 700

VANCOUVER'S ISLAND AND BRITISH COLUMBIA — Question, Mr. Fitzwilliam; Answer, Mr. Chichester Fortescue 701

THE LATE FIRE IN THE HOUSE OF COMMONS—Question, Mr. Hunt; Answer, Mr. Cowper 701

THE ROYAL VICTORIA PATRIOTIC ASYLUM — Question, Mr. W. E. Forster; Answer, Sir John Pakington 703

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Government of Singapore—Question, Mr. Lyall; Answer, Mr. Chichester Fortescue 705

Agricultural Statistics—Question, Mr. Heygate; Answer, Sir George Grey .. 705

Public Business—International Exhibition—Question, Mr. Baillie Cochrane; Answer, Viscount Palmerston 706

Affairs of Poland—Question, Mr. Baillie Cochrane; Answer, Mr. Hennessy 706

Business of the House—Standing Orders 1861—Morning Sittings—Fisheries (Ireland) Bill—

Motion made, and Question proposed,

"That the Order of the 3rd day of May last, for the House to resolve itself into the Committee on the Fisheries (Ireland) Bill To-morrow at Twelve of the clock, be read, for the purpose of being discharged."—(*Mr. Butt.*) 707

After Debate, Motion, by leave, *withdrawn.*

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Endowed Charities—Observations, Mr. Grant Duff 712

Reports of Inspectors of Schools—Question, Mr. W. E. Forster; Answer, Mr. Lowe 717

Motion *agreed to:*—

Supply *considered* in Committee—Civil Service Estimates:—

(In the Committee.)

(4.) Question again proposed,

"That a sum, not exceeding £28,914, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for erecting and maintaining certain Light-houses Abroad." 734

Whereupon Question again proposed, "That the Item of £8,000, for the Little Basses Rocks Light-ship (re-Vote), be omitted from the proposed Vote."—(*Mr. Childers*).

Amendment, by leave, *withdrawn.*

Question again proposed:—

Whereupon Motion made, and Question, "That the Item of £9,000, for the Bahamas (Elbow and Great Stirrup Cay), re-Vote, be omitted from the proposed Vote,"—(*Mr. Augustus Smith,*)—put, and *negatived.*

Original Question put, and *agreed to.*

(5.) £6,000, Sheriff Court Houses (Scotland), *agreed to.*

(6.) £19,000, to complete the sum for Rates for Government Property. .. 737
After Debate, Vote *agreed to.*

(7.) Motion made, and Question proposed,

"That a sum, not exceeding £604,002, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for Public Education in Great Britain."—(*Mr. Lowe.*) 745

Whereupon Motion made, and Question proposed,

"That a sum, not exceeding £574,002, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for Public Education in Great Britain."—(*Mr. Black.*) 750

After Debate, Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(8.) Motion made, and Question proposed,

"That a sum, not exceeding £82,883, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for the General Management of the Department of Science and Art, of the Schools throughout the Kingdom in connection with the Department, and of the Geological Surveys of Great Britain and Ireland, &c." 760

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SUPPLY—Civil Service Estimates—*continued.*

Whereupon Motion made, and Question proposed,

"That a sum, not exceeding £72,883, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for the General Management of the Department of Science and Art, of the Schools throughout the Kingdom in connection with the Department, and of the Geological Surveys of Great Britain and Ireland, &c."—(*Mr. Augustus Smith.*) 760

After Debate, Question put: — The Committee *divided;* Ayes 31, Noes 129; Majority 98.

Original Question put, and *agreed to.*

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

Volunteers Bill [Bill 152]—

Bill, as amended, *considered.* 765

Clause 7—Amendment proposed, in page 3, line 31, to leave out the words "for any subscription or fine, or any other account."—(*The Marquess of Hartington.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Cox.*) 765

After Debate, Motion, by leave, *withdrawn.*

Clause 20 (Discipline of Volunteers while on actual Military Service)—Amendment proposed, in page 8, line 17, after the word "cause," to leave out to the word "Officer" in line 19, and insert the words "such cause or causes respectively to be committed to writing, and communicated to the accused by the Adjutant of such corps, and the existence and sufficiency of such causes respectively to be judged of by a court to be summoned by the Commanding Officer, and to consist of one Captain, two Subaltern Officers, and two Non-Commissioned Officers or Privates of the same corps."—(*Sir Robert Clifton.*) 766

Question put, "That the words proposed to be left out stand part of the Bill:"—The House *divided;* Ayes 100, Noes 29; Majority 71

Other Amendments made.

Bill to be read 3° *To-morrow.*

Drainage and Improvement of Land (Ireland) Bill [Bill 106]—

Order read for resuming Adjourned Debate on Amendment proposed to Question [5th June], "That the Bill be now read the third time;" and which Amendment was, to leave out from the word "be" to the end of the Question, in order to add the word "re-committed,"—(*Mr. Hennessy,*)—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Amendment, and Motion, by leave, *withdrawn.*

Order for Third Reading *discharged.*

Bill *re-committed,* in respect to Clause 58; *considered* in Committee, and *reported;* as amended, *considered;* to be read 3° *To-morrow.*

SUPPLY—

Order read, for resuming Adjourned Debate on Question [9th June], "That the Resolutions which upon the same day were reported from the Committee of Supply be now read a second time." 773

Question again proposed:—Debate *resumed.*

First Resolution being read a second time;

Amendment proposed, to leave out the words "£165,000," in order to insert the words "£85,000."—(*Sir James Elphinstone.*) .. 773

Question put, "That '£165,000' stand part of the Resolution:"—The House *divided;* Ayes 44, Noes 40; Majority 4

Second Resolution *agreed to.*

Third Resolution being read a second time;

Amendment proposed, to leave out the words "£89,000," and insert the words "£79,000."—(*Mr. Lygon.*)

Question proposed, "That the words proposed to be left out stand part of the Resolution."

Amendment, by leave, *withdrawn:*—Resolution *agreed to.*

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Newcastle upon Tyne (Saint Mary Magdalen Hospital) Bill—

On Motion of *Mr. Lowe,* Bill for confirming a scheme of the Charity Commissioners for the management of the Charity called the Hospital of Saint Mary Magdalen, at Newcastle upon Tyne, in the County of Northumberland, *ordered* to be brought in by Mr. Lowe and Mr. Bruce:—Bill *presented,* and read 1° *. [Bill 162.]

Ruthin Charities Bill—

On Motion of *Mr. Lowe,* Bill for confirming a scheme of the Charity Commissioners for the management of the Charities in the borough of Ruthin, in the county of Denbigh, comprising the Hospital of Christ and its subsidiary endowments, the Grammar School, Edward Lloyd's Foundation, and Bishop Goodman's Charity, *ordered* to be brought in by Mr. Lowe and Mr. Bruce:—Bill *presented,* and read 1° *. [Bill 161.]

Sir Robert Hitcham's Charity Bill—

On Motion of *Mr. Lowe,* Bill for confirming a scheme of the Charity Commissioners for the management of the Charity of Sir Robert Hitcham, Knight, King's Serjeant, for the benefit of Framlingham, Debenham, and Levington, in the county of Suffolk, and of Coggeshall, in the county of Essex, *ordered* to be brought in by Mr. Lowe and Mr. Bruce:—Bill *presented,* and read 1° *. [Bill 160.]

Charitable Uses Bill—

On Motion of *Mr. Solicitor General,* Bill to further amend the Law relating to the Conveyance of Land for Charitable Uses, *ordered* to be brought in by Mr. Solicitor General, Mr. Attorney General, and Sir George Grey:—Bill *presented,* and read 1° *. [Bill 164.]

Militia Pay Bill—

Bill to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in Great Britain and Ireland; to grant Allowances in certain cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons' Mates, of the Militia; and to authorize the employment of the Non-Commissioned Officers, *presented,* and read 1°*. [Bill 163.]

House adjourned at a quarter before Three o'clock.

LORDS, FRIDAY, JUNE 12.

MINUTES.]—PUBLIC BILLS—*First Reading*—Officers of Royal Naval Reserve* (No. 131); Statute Law Revision (No. 133).

Second Reading — London Coal and Wine Duties* (No. 104).

Committee—Redemption of Rents (Ireland) (Nos. 110 & 134).

Report—Duchy of Cornwall Management (No. 135).

Statute Law Revision Bill [H.L.]—

A Bill for promoting the Revision of the Statute Law by repealing certain Enactments which have ceased to be in force or have become unnecessary—Was *presented* by The Lord Chancellor, and read 1ª. (No. 133.) .. 775

Redemption of Rents (Ireland) Bill [H.L.] (No. 110)—

House in Committee (on re-commitment) (according to Order):— .. 795

Clause 10 (Reservations or Exceptions to go with the Rent)—Amendment to add certain words, "to refer sales of Reservation of Minerals to a Judge of the Landed Estates Court for his sanction."—(*The Earl of Donoughmore.*) 795

Amendment *agreed to.*

On Question, That the Clause as amended stand Part of the Bill? *Resolved* in the *Affirmative.*

Amendments made: The Report thereof to be received on *Monday* next; and Bill to be *printed* as amended. (No. 134.)

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Duchy of Cornwall Management Bill [H.L.] (No. 118)—

Amendments *reported* (according to Order):— 796

On Motion of *The Duke of Newcastle*, Clauses 8, 9, 10, and 39 *struck out.*

New Clause moved in substitution for Clause 39, to empower "the Duke of Cornwall to grant buildings or sites for churches or chapels, burial-grounds or cemeteries, and for residences for the ministers; and for parochial or district schools, and for residences for the masters or mistresses; and also buildings or sites for buildings solely for the purpose of Divine worship by any denomination of non-conforming Christians; but the grant for any one of these purposes is limited to one acre, or a building not exceeding in value £200."—(*The Duke of Newcastle.*) ... 796

After Debate, Clause *agreed to.*

Bill to be read 3ª on *Monday* next; and to be *printed* as amended. (No. 135.)

House adjourned at half past Seven o'clock.

COMMONS, FRIDAY, JUNE 12.

MINUTES.]—New Member Sworn — Sir George Conway Colthurst, bart., *for* Kinsale.
Supply—*considered* in Committee—R.P.
Public Bills—*First Reading*—Local Government Supplemental* (No. 2) [Bill 165].
Committee—Fisheries (Ireland) [Sir Robert Peel] [Bill 137]—R.P.; Regimental Debts &c.* [Bill 149].
Report.—Regimental Debts, &c.*
Considered as amended — Innkeepers' Liability (No. 1) [Mr. Wykeham Martin]* [Bill 157].
Third Reading—Drainage and Improvement of Land (Ireland)* [Bill 106], and *passed;* Cayman Islands (*Lords*)* [Bill 132], and *passed.*

Fisheries (Ireland) Bill [Sir Robert Peel]—[Bill 137]—

Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair." 797

Question put, and *agreed to.*

Bill *considered* in Committee:— 799

(In the Committee.)

Clauses 1 and 2 *agreed to.*

Clause 3 *postponed.*

Clause 4 (Bag-nets not to be used except in the open Sea, at a distance of more than Three Miles from the Mouths of Rivers)—Amendment, that "no fixed engine or net should be used in tidal waters unless the same shall have been erected or used under grant or charter:"—(*Mr. Longfield:*)—After Debate, Amendment, by leave, *withdrawn* 800

Amendment, in line 17, after the word "bag net" to insert the words "extending more than thirty fathoms from low water."—(*Colonel Vandeleur.*) 801

After Debate, Motion, "That the Chairman do report Progres:"—(*Mr. Butt:*)—Motion *negatived.* 803

Amendment *withdrawn.*

Amendment, in line 17, after "12," to insert "no bag net now placed shall be:"—(*Mr. Redmond:*)—Amendment *negatived.* 804

Committee report Progress; to sit again on *Tuesday* next, at Twelve of the clock.

Forced Labour on the Suez Canal—Question, Mr. Darby Griffith; Answer, Viscount Palmerston 804

Protestants in Spain—Question, Mr. Whalley; Answer, Mr. Layard .. 804

The International Exhibition Building—Question, Lord Robert Cecil; Answer, Viscount Palmerston 806

Affairs of Paraguay—Question, Mr. Bernal Osborne; Answer, Mr. Layard .. 806

The International Exhibition Building—Question, Mr. Craufurd; Answer, The Chancellor of the Exchequer 807

Medical Department of the Indian Army—Question, Mr. MacEvoy; Answer, Sir Charles Wood 808

Employment of Mr. Nagle — Question, Mr. Fitzwilliam; Answer, Mr. Chichester Fortescue 808

The Glasgow Murder—Case of Jessie MacLachlan—Question, Mr. Mure; Answer, Sir George Grey 808

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SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

ORDER OF BUSINESS—Question, Sir Stafford Northcote; Answer, Viscount Palmerston 809

LABOURERS' COTTAGES (IRELAND)—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the restrictions placed by the Board of Works in Ireland and the Treasury, on the advance of money for the building of Labourers' Cottages in Ireland, are inexpedient, and calculated to render the Act sanctioning the advance in a great degree inoperative,"—(*Sir Hervey Bruce,*)—instead thereof. 814

Question proposed, "That the words proposed to be left out stand part of the Question."

After Debate, Amendment, by leave, *withdrawn*.

CONDITION OF IRELAND—Another Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the causes of the present depressed condition of Ireland, and the effects of the taxation she now bears,"—(*Colonel Dunne,*)—instead thereof. 816

After long Debate, Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to*.

CASE OF SERGEANT MAJOR LILLEY—Observations, Viscount Palmerston:—Long Debate thereon 862

CASE OF CAPTAIN MELVILLE WHITE—Question, Colonel French .. 871

Main Question put, and *agreed to*:—

SUPPLY *considered* in Committee:—
Committee report Progress; to sit again on *Monday* next.

Local Government Supplemental (No. 2) Bill—

On Motion of *Mr. Bruce*, Bill to confirm certain Provisional Orders under the Local Government Act (1858), *ordered* to be brought in by Mr. Bruce and Sir George Grey:—Bill *presented*, and read 1°*. [Bill 165.]

House adjourned at a quarter
after One o'clock.

LORDS, MONDAY, JUNE 15.

MINUTES.]—PUBLIC BILLS—*First Reading*—Drainage and Improvement of Lands (Ireland) * (No. 136). *Second Reading* — Bleaching and Dyeing Works Act Amendment * (No. 43). *Committee*—Prison Ministers (Nos. 109 & 137); Salmon Fisheries (Scotland) Act Continuance * (Nos. 112 & 138). *Report*—Redemption of Rents (Ireland) [H.L.] (Nos. 134 & 139). *Third Reading*—Duchy of Cornwall Management [H.L.] (No. 118), and *passed*.

ITALY—CASE OF MR. BISHOP—Question, The Marquess of Normanby; Answer, Earl Russell 872

Earl Russell then *presented*, by command, "Extract of Despatch from Sir James Hudson respecting Mr. Bishop." (*Parl. Paper* [1654])

REVISION OF THE STATUTE LAW—Personal Explanation, Lord Brougham .. 873

BRITISH COMMERCE AND THE AMERICAN CRUISERS—Motion for

"Copies of any Reports that may have been received from the Admiral commanding Her Majesty's Squadron on the North American and West Indian Station concerning the Protection from Seizure or Visitation afforded to British Merchantmen by the *Ariadne* and other of Her Majesty's Ships or Gunboats by Convoy or otherwise; and to ask what has been the Result of the Remonstrances made to the United States Government by Her Majesty's Minister at Washington against the Seizure of certain British Vessels."—(*The Marquess of Clanricarde.*) ... 874

After Debate, *Resolved* in the *Negative*.

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Prison Ministers Bill (No. 109)—

House in Committee (according to Order) :— 880

Clause 1 (Short Title of Act) *agreed to.*

Clause 2 (Application of Act)—*Moved,* the insertion of a proviso restricting the power of the Secretary of State in certain cases with regard to Roman Catholic Prisoners,—(*Lord Berners.*)

Amendment *negatived* :—Clause *agreed to.*

Clause 3 (Additional Ministers in Prisons, and Regulations as to Admission of Minister) —Amendment, making the appointment of additional Ministers in prisons obligatory instead of permissive.—(*Lord Lyveden.*) 886

After Debate, Amendments made: The Report thereof to be received on *Thursday* next; and Bill to be *printed* as amended. (No. 137.)

Case of Sergeant Major Lilley—Question, The Earl of Shaftesbury; Answer, Earl De Grey and Ripon 890

Redemption of Rents (Ireland) Bill [H.L.] (No. 134)—

Amendments *reported* (according to Order) 895

After short Debate, Bill to be read 3ª on *Thursday* next; and Bill, with the Amendments, to be *printed.* (No. 139.)

Duchy of Cornwall Management Bill [H.L.] (No. 135)—

Consent of Her Majesty and the Consent of His Royal Highness The Prince of Wales, in right of his Duchy of Cornwall, signified; Bill read 3ª (according to Order); an Amendment made; Bill *passed,* and sent to the Commons.

House adjourned at a quarter
past Eight o'clock.

COMMONS, MONDAY, JUNE 15.

MINUTES.]—New Writ Issued—for Lisburn, *v.* John Doherty Barbour, esquire, void Election.

Supply—*considered* in Committee—Civil Service (Supplementary Estimate), Vote No. 28; Resolutions (June 11) *reported*

Public Bills—*First Reading*—Mutiny (East India) Act Repeal * [Bill 166].

Second Reading — London, &c. Dioceses (*Lords*) * [Bill 133]; Charitable Uses [Bill 164]; Trout, &c. Fishing (Scotland) [Bill 146], *negatived.*

Committee—Pier and Harbour Orders Confirmation [Bill 148], *on re-committal.*

Report—Pier and Harbour Orders Confirmation.

Considered as amended — Offences (South Africa) (*Lords*) * [Bill 113]; Sheep and Cattle (Scotland) * [Bill 115]; Metropolis Turnpike Roads Act Amendment * [Bill 131].

Third Reading—Volunteers [Bill 152]; Regimental Debts, &c. * [Bill 149]; Innkeepers' Liability (No. 1) [Mr. Wykeham Martin] * [Bill 157]; and severally *passed.*

Telegraphic Communication with America—Question, Mr. Cave; Answer, Mr. Layard 896

Affairs of Japan—Question, Mr. Liddell; Answer, Mr. Layard .. 897

Mr. Pritchard, late Consul at the Feejee Islands—Question, Mr. Crawford; Answer, Mr. Layard 898

Case of Captain Melville White—Question, Colonel French; Answer, Mr. Layard 898

Cession of the Ionian Islands—Notice of Question, Mr. S. Fitzgerald .. 899

SUPPLY—Order for Committee read :—

Business of the House—Affairs of Poland—The Irish Church—The Exhibition Vote—Observations of Viscount Palmerston .. 899

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair :"— 899

After Debate, Motion *agreed to* :—

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Supply *considered* in Committee—Civil Service Estimates:— .. 903

(In the Committee.)

(1.) Motion made, and Question proposed,

"That a sum, not exceeding £67,000, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for the Purchase of Land and certain Buildings from Her Majesty's Commissioners for the Exhibition of 1851." 903

After long Debate, Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Lord Elcho,*)—put, and *negatived.*

Original Question put:—The Committee *divided;* Ayes 267, Noes 135; Majority 132.

(2.) £805, Salary and Expenses of the Commissioners of Education in Ireland.

(3.) Motion made, and Question proposed,

"That a sum, not exceeding £3,500, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for the University of London." ... 938

Whereupon Motion made, and Question,

"That a sum, not exceeding £3,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for the University of London,"—(*Mr. Augustus Smith,*)

—put, and *negatived.*

Original Question put, and *agreed to.*

(4.) £13,905, to complete the sum for the Scottish Universities.

(5.) £1,296, Queen's University in Ireland 939

After Debate, Vote *agreed to.*

(6.) Motion made, and Question proposed,

"That a sum, not exceeding £3,800, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for the Queen's Colleges in Ireland." ... 944

Whereupon Motion made, and Question,

"That the Item of £1,800, in aid of the augmentation of the Salaries of the Professors of the Queen's Colleges in Ireland, be omitted from the proposed Vote,—(*Mr. Scully,*)

—put, and *negatived.*

Original Question put, and *agreed to.*

(7.) £500, Royal Irish Academy.

(8.) £500, National Gallery (Ireland).

(9.) Motion made, and Question proposed,

"That a sum, not exceeding £1,500, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for the Salaries of the Theological Professors and the Incidental Expenses of the General Assembly's College at Belfast, and Retired Allowances to Professors of the Belfast Academical Institution." 946

Whereupon Motion made, and Question put,

"That a sum, not exceeding £450, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for the Salaries of the Theological Professors and the Incidental Expenses of the General Assembly's College at Belfast, and Retired Allowances to Professors of the Belfast Academical Institution."—(*Mr. Hadfield.*) 946

After short Debate, the Committee *divided;* Ayes 25, Noes 95; Majority 70.

Original Question put, and *agreed to.*

Motion made, and Question put, "That the Chairman do report these Resolutions to the House:"—The Committee *divided;* Ayes 108, Noes 20; Majority 88.

Resolutions to be reported *To-morrow;* Committee to sit again on *Wednesday.*

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SUPPLY [Education]—Resolutions (June 11) *reported:*—
First Seven Resolutions *agreed to.*
Eighth Resolution read 2°.
Amendment proposed, to leave out "£82,883," and insert "£72,883,"—(*Mr. Augustus Smith,*)—instead thereof. 957
After short Debate, Question put, "That '£82,883' stand part of the Resolution:"— The House *divided;* Ayes 147, Noes 19; Majority 128.
Resolution *agreed to.*

Volunteers Bill [Bill 152]—
Motion made, and Question proposed, "That the Bill be now read the third time." 958
Amendment proposed, to leave out from the word "be" to the end of the Question, in order to add the word "re-committed,"—(*Mr. Hennessy,*)—instead thereof. 959
Question proposed, "That the words proposed to be left out stand part of the Question."
After Debate, Question put:—The House *divided;* Ayes 138, Noes 31; Majority 107.
Main Question put, and *agreed to:*—Bill read 3°, and *passed.*

Pier and Harbour Orders Confirmation (*re-committed*) **Bill** [Bill 148]—
Bill *considered* in Committee.
Moved, That so much of the Bill as relates to Rhyl Pier and the Provisional Order referring thereto be struck out.—(*Lord Richard Grosvenor.*) .. 964
After Debate, Amendment *negatived.*
Bill *reported;* as amended, to be considered *To-morrow.*

Charitable Uses Bill [Bill 164]—
On Motion of *The Solicitor General,* Bill read 2°, and *committed* for *Thursday.* 965

Trout, &c. Fishing (Scotland) Bill [Bill 146]—
Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. W. Ewart.*) 965
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Sir Graham Montgomery.*)
Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 12, Noes 37; Majority 25:—Words *added.*
Main Question, as amended, put, and *agreed to:*—Second Reading *put off* for three months.

Mutiny (East India) Act Repeal Bill—
On Motion of *Mr. Baring,* Bill to repeal the Act of the twentieth and twenty-first years of Her Majesty, chapter sixty-six, for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the East India Company, and for regulating in such Service the payment of Regimental Debts and the Distribution of the effects of Officers and Soldiers dying in the Service, *ordered* to be brought in by Mr. Baring, Sir Charles Wood, and the Judge Advocate:—Bill *presented,* and read 1°*. [Bill 166.]

House adjourned at a quarter after Two o'clock.

LORDS, TUESDAY, JUNE 16.

MINUTES.]—Public Bills—*First Reading*—Volunteers* (No. 140); Regimental Debts, &c.* (No. 141); Innkeepers' Liability* (No. 142).
Committee—Bleaching and Dyeing Works Act Amendment* (No. 29).
Report—Salmon Fisheries (Scotland) Act Continuance* (No. 117).
Third Reading—Vaccination (Ireland)* (No. 139).

Mr. Bishop's Health—Explanation of the Marquess of Normanby .. 966

House adjourned at a quarter past Five o'clock.

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COMMONS, TUESDAY, JUNE 16.

MINUTES.]—PUBLIC BILL—*Committee*—Fisheries (Ireland) [Sir Robert Peel] [Bill 137].

Fisheries (Ireland) Bill [Sir Robert Peel]—[Bill 137]—

Bill *considered* in Committee (*Progress* 12*th June*):—

(In the Committee.)

Clause 4 (Prohibition of Bag Nets in certain Places)—Amendment proposed, in page 2, line 18, to leave out the words "or in any other waters."—(*Mr. H. A. Bruce.*) ... 967

After short Debate, Question put, "That the words proposed to be left out stand part of the Clause:"—The Committee *divided*; Ayes 35, Noes 33; Majority 2.

Amendment proposed, to strike out the word "three" and insert the word "five:"—(*Mr. M'Mahon*:)—Amendment *negatived* 969

Amendment proposed, in line 20, after the word "rivers," to insert the words "or estuaries.—(*Mr. Redmond.*)

Question put, "That those words be there inserted:"—The Committee *divided*; Ayes 76, Noes 8; Majority 68.

Amendment proposed, that no person should be allowed to erect a bag net within three miles of a river, "save any person having an exclusive right of taking salmon in any such river:"—(*Mr. Butt*:)—After short Debate, Amendment *negatived* ... 969

Clause, as amended, *agreed to.*

Clause 5 (Penalty on new fixed Nets)—Amendment proposed, to leave out the words "at the time of the passing of the Act" for the purpose of inserting "on January 1, 1848:"—(*Sir W. Somerville*:)—After Debate, Amendment, by leave, *withdrawn* ... 971

Amendment proposed, that "in no case should any stake weir, stake net, or fly net be allowed to extend beyond the low-water mark of ordinary neap tides:"—(*Mr. Blake*:)—After short Debate, Amendment *negatived* 973

Motion made, and Question put, "That the Clause, as amended, stand part of the Bill:"—The Committee *divided*:—Mr. Conolly was appointed one of the Tellers for the Noes; but no Member appearing to be a second Teller for the Noes, the Chairman declared the Ayes had it.

Committee report Progress; to sit again on *Friday*, at Twelve of the clock.

CASE OF CHARLES THOMAS—Question, Mr. Hadfield; Answer, Lord Clarence Paget 974

HIGHWAYS ACT—Question, Sir William Miles; Answer, The Attorney General 976

DISTRESS IN THE COTTON DISTRICTS—Question, Mr. Ferrand; Answer, Mr. C. P. Villiers 976

OUTRAGE AT ZANZIBAR—Question, Mr. Stirling; Answer, Mr. Layard .. 977

THE PATRIOTIC FUND—Question, Mr. Coningham; Answer, Mr. Corry .. 978

CAPTAIN FOWKE'S DESIGNS FOR THE EXHIBITION BUILDING—Question, Mr. Baillie Cochrane; Answer, Mr. Cowper 980

STANDARDS OF WEIGHTS AND MEASURES—Question, Mr. Doulton; Answer, Mr. Peel 980

BRIDE AND BLACKWATER RIVERS—Motion made, and Question proposed,

"That it is the opinion of this House, that it is the duty of the Government to carry the Law into effect by immediately removing Stake and Head Weirs in the Rivers Bride and Blackwater, in the county of Waterford."—(*Mr. Blake.*) 981

Amendment proposed,

At the end of the Question to add the words "and all other encroachments on the property of the Crown and the rights of the public in the tidal waters and shores of Ireland."—(*Mr. M'Mahon.*) 983

Question proposed, "That those words be there added."

After Debate, Amendment and Motion, by leave, *withdrawn.*

BALLOT—Motion made, and Question proposed, "That leave be given to bring in a Bill to cause the Votes of Parliamentary Electors to be taken by way of Ballot."—(*Mr. Henry Berkeley.*) 984

After long Debate, Question put:—The House *divided*; Ayes 102, Noes 122; Majority 20

ASSIZE AND CIRCUIT ARRANGEMENTS—Motion made, and Question proposed, "That it is expedient to make such alterations in the Assize and Circuit arrangements as would secure a more speedy trial in the country of country causes."—(*Mr. M'Mahon.*) 1000

Notice taken, that 40 Members were not present; House counted; and 40 Members not being present,

House adjourned at Ten o'clock.

COMMONS, WEDNESDAY, JUNE 17.

MINUTES.]—SELECT COMMITTEE—*Report*—Kitchen and Refreshment Rooms (House of Commons), *Second Report* [No. 366].

SUPPLY—CIVIL SERVICE ESTIMATES—Resolutions * (June 15) *reported.*

PUBLIC BILLS—*Ordered*—Howth Harbour.

First Reading—Domestic Servants and Apprentices Protection * [Bill 168]; Corporal Punishment in Schools * [Bill 169]; Walmer Vesting * [Bill 170]; Inclosure (No. 2)* [Bill 167].

Second Reading — Navy Prize Money, &c. [Bill 147]; Civil Bill Courts (Ireland) [Bill 138]; Local Government Supplemental (No. 2)* [Bill 165].

Select Committee — Thames Embankment (South Side) [Bill 65]—Mr. W. Cubitt *discharged,* Mr. Tite *added.**

Referred to Select Committee—Election Petitions [Bill 124].

Committee—Marriages Registration (Ireland) [Bill 118], *on re-committal.*

Report—Marriages Registration (Ireland).

Third Reading — Offences (South Africa) (*Lords*)* [Bill 113]; Sheep and Cattle (Scotland) * [Bill 115]; Metropolis Turnpike Roads Acts Amendment * [Bill 131]; and severally *passed.*

Withdrawn—Endowed Schools [Bill 3].

Endowed Schools Bill [Bill 3]—

Order for Second Reading read 1004

Motion, "That the Order for the Second Reading of the Bill be discharged:"—(*Mr. Dillwyn*:)—After Debate, Order *discharged*:—Bill *withdrawn.*

Navy Prize Money, &c. Bill [Bill 147]—

Moved, "That the Bill be now read a second time:"—(*Sir John Hay*:)—After Debate, Bill read 2°, and *committed* for *Friday* 1008

Election Petitions Bill [Bill 124]—

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair." 1017

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "the Bill be committed to a Select Committee,"—(*Mr. Ayrton,*)—instead thereof 1019

After Debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 91, Noes 92; Majority 1:—Words *added.*

Main Question, as amended, put, and *agreed to*:—Bill *committed* to a Select Committee; and on June 18 Committee *nominated.*

Marriages Registration (Ireland) (*re-committed*) **Bill** [Mr. Monsell] [Bill 118]—

Bill *considered* in Committee:—

(In the Committee.)

Clauses 1 to 6 *agreed to.*

Clause 7 (Provision for Marriages not within Provisions of 7 & 8 *Vict.*, c. 81)—Amendment proposed, in page 2, line 35, after "same" to insert "one of."—(*Sir Edward Grogan.*) 1020

After Debate, Question put, "That those words be there inserted:"—The Committee *divided*; Ayes 31, Noes 105; Majority 74.

Clause *agreed to*; as were the remaining Clauses.

Bill *reported,* without Amendment; to be read 3° *To-morrow.*

Civil Bill Courts (Ireland) Bill [Bill 138]—

Order for Second Reading read 1021

After Debate, Bill read 2°, and *committed.*

Motion made, and Question proposed, "That the Bill be committed to a Committee of the Whole House." 1028

Amendment proposed, to leave out the words "Committee of the Whole House," in order to add the words "Select Committee,"—(*Mr. Longfield,*)—instead thereof. 1028

Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 40, Noes 36; Majority 4.

Main Question put, and *agreed to*:—Bill *committed* for *Monday* 29th of June.

Domestic Servants and Apprentices Protection Bill—

On Motion of *Viscount Raynham,* Bill for the Protection of Young Persons under the age of sixteen years, engaged as Domestic Servants and Apprentices, *ordered* to be brought in by Viscount Raynham and Mr. Beamish:—Bill *presented,* and read 1°*. [Bill 168.]

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Corporal Punishment in Schools Bill—

On Motion of *Viscount Raynham*, Bill to regulate Corporal Punishment in Schools and elsewhere, *ordered* to be brought in by Viscount Raynham and Mr. Dunlop :—Bill *presented*, and read 1°*. [Bill 169.]

Walmer Vesting Bill—

On Motion of *The Marquess of Hartington*, Bill for vesting in Her Majesty's Principal Secretary of State for the War Department certain Lands and Hereditaments at Walmer, in the county of Kent, *ordered* to be brought in by The Marquess of Hartington and The Judge Advocate: — Bill *presented*, and read 1°*. [Bill 170.]

Howth Harbour Bill—

On Motion of *Mr. Peel*, Bill for the further improvement of the Harbour of Howth, *ordered* to be brought in by Mr. Peel and Mr. Milner Gibson *.

Inclosure (No. 2) Bill—

On Motion of *Mr. Bruce*, Bill to authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners, *ordered* to be brought in by Mr. Bruce and Sir George Grey :—Bill *presented*, and read 1°*. [Bill 167.]

House adjourned at half after
Five o'clock.

LORDS, THURSDAY, JUNE 18.

MINUTES.]—PUBLIC BILLS—*First Reading*—Sheep and Cattle (Scotland) * (No. 144); Metropolis Turnpike Roads Act Amendment * (No. 145).
Second Reading—Local Government Supplemental * (No. 130).
Select Committee—Report—Thames Embankment (North Side) * (No. 107).
Report—Prison Ministers (No. 43 & 146); Bleaching and Dyeing Works Act Amendment * (No. 29).
Third Reading—Redemption of Rents (Ireland) [H.L.] * (No. 139), and *passed*; Salmon Fisheries (Scotland) Act Continuance * (No. 138), and *passed*.

THE INDIAN NAVY—Question, The Earl of Ellenborough; Answer, The Duke of Somerset 1029

THE INTERNATIONAL EXHIBITION BUILDING—Question, The Duke of Rutland; Answer, Earl Granville 1030

Prison Ministers Bill (No. 137)—

Amendments *reported* (according to Order): (*The Duke of Somerset.*) .. 1035

Clause 4 (Keepers of Prisons to Register religion of Prisoners)—Amendment proposed, "But no such minister shall be permitted to attend or visit any prisoner belonging to any religious denomination differing from that to which such minister belongs :"—(*The Earl of Belmore* :)—Amendment *postponed*. 1036
After short Debate, further Amendments *moved*, and *negatived*.
Amendments *moved*, and (by leave of the House) *withdrawn*.

Bill to be read 3^{a}, on *Monday* next; and to be *printed*, as amended. (No. 146.)

VACCINATION—Question, Lord Lyttelton; Answer, Earl Granville .. 1037

Thames Embankment (North Side) Bill (No. 107)—

Reported * from the Select Committee, with Amendments; and Bill *committed* to a Committee of the Whole House on *Monday* next: (*The Lord Stanley of Alderley.*)

Offences (South Africa) Bill [H.L.] (No. 74)—

Returned from the Commons, *agreed to*, with Amendments *: Bill, with the Amendments, to be *printed*. (No. 143.)

Cayman Islands Bill [H.L] —

Commons' Amendments *considered* (according to Order), and *agreed to* *.

House adjourned at half past
Six o'clock.

COMMONS, THURSDAY, JUNE 18.

MINUTES.]—Supply—*considered* in Committee—Civil Service Estimates.

Public Bills—*First Reading* — Postmaster General (Sale of Land) * [Bill 174]; Howth Harbour [Bill 175] *.

Second Reading — Public Works (Manufacturing Districts) [Bill 154]; Mutiny (East India) Act Repeal * [Bill 166]; Sir Robert Hitcham's Charity * [Bill 160]; Ruthin Charities * [Bill 161]; Newcastle upon Tyne (Saint Mary Magdalen Hospital) [Bill 162]; Stipendiary Magistrates * [Bill 150].

Select Committee — on Election Petitions Bill, *nominated* * (*List of Committee*).

Report of Select Committee — Thames Embankment (South Side) * [Bill 171], and *re-committed;* Partnership Law Amendment * [Bill 172], and *re-committed.*

Committee — Charitable Uses * [Bill 164]; Militia Pay* [Bill 163]. Land Drainage (Provisional Orders) [Bill 85]; *on re-committal.*

Report—Charitable Uses*; Militia Pay*; Land Drainage (Provisional Orders) [Bill 173].

Third Reading—Marriages Registration (Ireland) [Mr. Monsell] * [Bill 118], and *passed.*

London (City) Traffic Regulation Bill [*Lords*]—(*by Order*)—

Motion made, and Question proposed, "That the Bill be now read a second time." 1039

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Ayrton.*)

Question proposed, "That the word 'now' stand part of the Question."

After short Debate, Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to* :—Bill read 2°, and *committed.*

Fortifications—Question, Sir Morton Peto; Answer, Viscount Palmerston .. 1042

Education—Revised Code—Question, Sir John Pakington; Answer, Mr. Lowe 1042

Fortifications on Brean Down—Question, Sir William Miles; Answer, Viscount Palmerston 1044

Sub-Inspectors of Factories—Question, Lord J. Manners; Answer, Sir G. Grey 1044

The Indian Budget—Question, Mr. Arthur Mills; Answer, Sir Charles Wood 1044

The Case of Paymaster Smales—Question, Mr. Coningham; Answer, The Marquess of Hartington 1045

The Indian Army—Question, Captain Jervis; Answer, Sir Charles Wood .. 1045

Rate in Aid for Distressed Unions — Question, Lord George Cavendish; Answer, Mr. C. P. Villiers 1047

Export of Salt to France—Question, Mr. Tollemache; Answer, Mr. Layard 1047

Bishoprics, &c. (Ireland)—Question, Captain Stacpoole; Answer, Sir R. Peel 1047

Burlington House and the National Gallery — Question, Mr. Heygate; Answer, Mr. Cowper 1048

The Lisburn Election Committee—Question, Mr. Sclater-Booth; Answer, Mr. O'Hagan 1048

The International Exhibition Building—Question, Mr. Cavendish Bentinck; Answer, Viscount Palmerston 1049

Public Works (Manufacturing Districts) Bill [Bill 154]—

On Motion of *Mr. C. P. Villiers*, Bill, after long Debate, read 2°, and *committed* for *Thursday* next. 1050

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

District Model Schools in Ireland—Observations, Mr. O'Reilly .. 1087

Motion *agreed to* :—

Supply *considered* in Committee—Civil Service Estimates:—

(In the Committee.)

Motion made, and Question proposed,

"That a sum, not exceeding £236,016, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for Public Education in Ireland, under the Commissioners of National Education in Ireland."—(*Sir Robert Peel.*) ... 1088

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SUPPLY—Civil Service Estimates—*continued.*

Whereupon, after long Debate, Motion made, and Question put, "That the Item of £19,180, for District Model Schools, be reduced by the sum of £268:"—(*Mr. O'Reilly*:)—The Committee *divided;* Ayes 38, Noes 122; Majority 84.

Original Question again proposed:— 1111

Whereupon, after short Debate, Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again:"—(*Mr. Hennessy*:)—The Committee *divided;* Ayes 36, Noes 115; Majority 79.

Original Question again proposed:— 1111

Whereupon, after short Debate, Motion made, and Question put, "That the Chairman do now leave the Chair:"—(*Mr. Hennessy*:)—The Committee *divided;* Ayes 31, Noes 110; Majority 79.

Original Question again proposed:— 1112

Whereupon, after short Debate, Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Colonel Greville*,)—put, and *agreed to.*

Committee report Progress; to sit again *To-morrow.*

Newcastle-upon-Tyne (St. Mary Magdalen) Hospital Bill [Bill 162]—

After short Debate, Bill read 2°, and *committed* for *Monday* next. .. 1113

Land Drainage (Provisional Orders) (*re-committed*) **Bill** [Bill 85]—

Order for Committee read. 1113

Moved, That the Bill be re-committed to the former Committee.—(*Mr. H. S. Thompson.*)

Motion, by leave, *withdrawn.*

Bill *considered* in Committee, and *reported;* as amended, to be considered on *Monday* next, and to be *printed.* [Bill 173.]

Election Petitions Bill—

Select Committee on the Election Petitions Bill *nominated** (*appointed* June 17):—

Mr. Ayrton, Sir George Grey, Mr. Massey, Mr. Edward Pleydell Bouverie, Lord Henley, Mr. Monsell, Mr. Herbert, Mr. Serjeant Kinglake, Sir William Heathcote, Sir William Miles, Mr. Knightley, Mr. Adderley, Mr. Walpole, Mr. Hunt, and Mr. Serjeant Pigott:—Power to send for persons, papers, and records; Five to be the quorum.

Postmaster General (Sale of Land) Bill—

Bill to enable Her Majesty's Postmaster General to Sell and otherwise dispose of Land, *presented,* and read 1°*. [Bill 174.]

Howth Harbour Bill—

Bill for the further improvement of the Harbour of Howth, *presented,* and read 1°; and referred to the Examiners of Petitions for Private Bills, and to be *printed**. [Bill 175.]

House adjourned at a quarter
before Two o'clock.

LORDS, FRIDAY, JUNE 19.

MINUTES.]—Public Bills—*First Reading*—Marriages Registration (Ireland)* (No. 147); Waywardens Contracts [h.l.]* (No. 148); British Columbia Boundaries [h.l.]* (No. 149).

Committee—London Coal and Wine Duties Continuance* (No. 104); Local Government Supplemental* (No. 130).

Report—Local Government Supplemental*.

Private Business—On Motion of *Lord Redesdale,* that section 9 of Standing Order No. 178 be suspended during the Remainder of the Session:—*agreed to.*

Poland — Alleged Russian Cruelties — Question, Viscount Stratford De Redcliffe; Answer, Earl Russell 1114

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Brazil—Motion, That an humble Address be presented to Her Majesty for, "Copies of any Papers showing on what Ground the reduced Demand for Compensation from the Government of Brazil was assessed at the Sum of £3,200; and also to move for, a Copy of the Despatch alluded to by Mr. Christie as having been written to the Brazilian Minister for Foreign Affairs on the Wreck of the *Prince of Wales*, and not published in the Brazilian Papers."—(*The Earl of Malmesbury.*) ... 1118

After long Debate, Motion *agreed to.*

Waywardens Contracts Bill [H.L.]—

A Bill to prevent Waywardens contracting for Works within their own Districts—Was *presented* by The Lord Redesdale, and read 1ª *. (No. 148.)

British Columbia Boundaries Bill [H.L.]—

A Bill to define the Boundaries of the Colony of British Columbia, and to continue an Act to provide for the Government of the said Colony—Was *presented* by The Duke of Newcastle, and read 1ª *. (No. 149.)

House adjourned at Nine o'clock.

COMMONS, FRIDAY, JUNE 19.

MINUTES.]—Select Committee—on Poor Relief, *appointed*, and *nominated.*

Supply—*considered* in Committee *—R.P.

Public Bills — *Second Reading*—Inclosure (No. 2) * [Bill 167].

Committee—Alkali Works Regulation (*Lords*) [Bill 135] — R.P.; Fisheries (Ireland) [Sir Robert Peel] * [Bill 137]—R.P.; Harwich Harbour [Bill 159], *on re-comm.*; Removal of Irish Poor [Mr. Villiers] * [Bill 140]; Mutiny (East India) Act Repeal [Bill 166]; Local Government Supplemental (No. 2) * [Bill 165].

Report—Harwich Harbour [Bill 176]; Removal of Irish Poor [Mr. Villiers] * [Bill 140]; Mutiny (East India) Act Repeal [Bill 166]; Local Government Supplemental (No. 2) * [Bill 165].

Third Reading—Militia Pay * [Bill 163]; Charitable Uses * [Bill 164], and severally *passed;* Watchmen in Towns (Ireland) [Bill 102], *negatived.*

Alkali Works Regulation Bill (*Lords*) [Bill 135]—

Bill *considered* in Committee:— 1162

(In the Committee.)

Motion that the Preamble be postponed, after Debate, *agreed to:*—Preamble postponed.

Clauses 1 and 2 *agreed to.*

Clause 3 (Interpretation Clause)—Amendment proposed, to leave out all the words after "wash," and to insert the words "for the manufacture of alkali and the sulphates of soda and potash."—(*Mr. Doulton.*) 1167

Amendment *agreed to:*—Clause *ordered* to stand part of the Bill.

Clause 4 (Conduct of Alkali Works)—Amendment proposed, to insert the word "reasonable:"—(*Mr. Puller:*)—Amendment, by leave, *withdrawn.* 1167

Amendment proposed, to insert the words "on its being made to appear to the Court before which any information or complaint in respect thereof shall be heard or determined, that 95 per centum at least of the muriatic gas evolved in such work has not been condensed:"—(*Mr. Hussey Vivian:*)—Amendment *agreed to.* ... 1168

Amendment proposed, to leave out the word "each:"—(*Mr. Puller:*)—Amendment *agreed to.* 1168

Amendment proposed, to leave out the words "and in respect of a continuous offence, after notice from the Inspector, to a penalty not exceeding £30 nor less than £5, for every day during which the alkali work is carried on in contravention of this section," and to insert "Provided always that no such owner shall be convicted of more than one such offence in respect of any one day, nor of more than one such offence committed previous to any conviction:"—(*Mr. Puller:*)—Amendment *agreed to.* ... 1168

Amendment proposed, "that a proviso be added that no penalty be imposed unless the Inspector should produce before the justice of the peace who was about to issue a summons a certificate in writing of the facts on which he founded his opinion that 95 per cent of the muriatic gas evolved in the alkali works is not condensed therein, and serve a copy with such summons:"—(*Mr. Hussey Vivian:*)—Amendment, by leave, *withdrawn.* 1168

Clause, as amended, *agreed to.*

Clause 5 (Registration of Alkali Works)—Amendment proposed, to leave out the words, "the name and names of the articles intended to be produced at the works:"—(*Mr. Bright:*)—Amendment *agreed to.* 1169

Amendment proposed, to impose a penalty which should not exceed £5 for every day during which the works should be carried on without registration:—(*Mr. Jackson:*)—Amendment *agreed to.* 1170

Clause, as amended, added to the Bill.

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ALKALI WORKS REGULATION BILL—Committee—*continued.*

Clauses 6 and 7 *agreed to.*

Clause 8 (Duties, and Powers of Inspector)—Amendment proposed, to insert words directing that notice should be given to the owner of works carried on in contravention of the Act, of the commission of the offence, as soon as conveniently might be after the commission of such offence.—(*Mr. H. A. Bruce.*) 1170

Amendment *agreed to*:—Clause, as amended, *agreed to.*

Clauses 9, 10, and 11 *agreed to.*

Clause 12 (Recovery of General Penalties). 1170

Motion, "That the Chairman report Progress:"—(*Mr. Bright*:)—After Debate, *withdrawn* 1172

Amendment, that a Proviso be added for giving the jurisdiction to the County Courts,—(*Mr. Cobden,*)—*agreed to.*

Question put, "That the clause, as amended, stand part of the Bill:"—The Committee *divided*; Ayes 111, Noes 67; Majority 44:—Clause *agreed to.*

Clause 13 *agreed to.*

Clause (Owner to be liable for Offences in the first instance,)—(*Mr. Hussey Vivian,*)—*brought up*, and read 1°. 1174

Question put, "That the Clause be read a second time:"—The Committee *divided*; Ayes 87, Noes 61; Majority 26.

Committee report Progress; to sit again on *Thursday* next.

THE INTERNATIONAL EXHIBITION BUILDING—Question, Viscount Enfield; Answer, The Chancellor of the Exchequer 1175

OFFICERS OF ARTILLERY IN INDIA—Question, Colonel Sykes; Answer, Sir C. Wood 1176

THE KNOUT IN POLAND—Question, Mr. Scully; Answer, Mr. Layard .. 1177

VACCINATION OF SHEEP—Question, Sir Jervoise Jervoise; Answer, Sir G. Grey 1177

THE RIVER SHANNON—Question, Colonel French; Answer, Mr. Peel .. 1178

PAROCHIAL SCHOOLMASTERS IN SCOTLAND—Question, Mr. Dunlop; Answer, Mr. Lowe 1178

THE MALWA FIELD FORCE—Question, Lord Stanley; Answer, Sir Charles Wood 1178

PORTPATRICK HARBOUR—Question, Mr. Coningham; Answer, Mr. Milner Gibson 1179

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

POOR LAW RATING AND ASSESSMENT—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "there be laid before this House, a Return of Parishes (forming part of some Union) in which the Corn Rent is exempt by Act of Parliament from parochial taxes, and showing the amounts of such Corn Rents as were paid last year: and Copy of the Resolutions of the several Unions in England as to the deductions from 'Gross Estimated Rental,' in order to obtain the 'Net Ratable Value,' under the various heads of 'Land,' 'Land and Buildings,' 'Woodlands,' 'Houses,' 'Cottages under £6 Rent,'"—(*Mr. Hubbard,*)—instead thereof. ... 1185

Question proposed, "That the words proposed to be left out stand part of the Question."

After Debate, Amendment, by leave, *withdrawn.*

GREENWICH HOSPITAL—Observations, Question, Mr. Liddell—Debate thereon, 1189; Answer, Lord Clarence Paget 1213

CIVIL ASSISTANTS ON THE ORDNANCE SURVEY—Question, Mr. Digby Seymour; Answer, The Marquess of Hartington 1217

THE DANISH CLAIMS—Observations, Mr. Macaulay; Reply, Mr. Peel .. 1218

Main Question put, and *agreed to*:—

SUPPLY *considered* in Committee: *—

Committee report Progress; to sit again on *Monday* next.

Harwich Harbour (*re-committed*) **Bill** [Bill 159]—

Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Milner Gibson.*) 1219

Amendment proposed, To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day three months, resolve itself into the said Committee,"—(*Mr. Clay,*)—instead thereof. 1220

Harwich Harbour Bill—Motion for Committee—*continued.*

Question proposed, "That the words proposed to be left out stand part of the Question."

After short Debate, Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to* :—Bill *considered* in Committee :— 1221

(In the Committee.)

Clauses 1 to 22 *agreed to.*

Clause 23 (Power for Board to borrow for Works at Landguard Point)—Amendment proposed, in page 10, line 10, to leave out from the word "both" to the end of the Clause.—(*Mr. Lindsay.*) 1221

Question put, "That the words proposed to be left out stand part of the Clause :"—The Committee *divided* ; Ayes 153, Noes 24 ; Majority 129.

Clause *agreed to.*

Remaining Clauses *agreed to.*

Bill *reported ;* as amended, to be considered on *Tuesday* next, and to be *printed.* [Bill 176.]

Mutiny (East India) Act Repeal Bill [Bill 166]—

Order for Committee read ; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Whereupon Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Wykeham Martin.*)

Motion, by leave, *withdrawn.*

Main Question put, and *agreed to* :—Bill *considered* in Committee.

Bill *reported,* without Amendment ; to be read 3° on *Monday* next.

Watchmen in Towns (Ireland) Bill [Bill 102]—

Motion made, and Question proposed, "That the Bill be now read the third time."

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Lord Naas.*) 1222

Question proposed, "That the word 'now' stand part of the Question."

Whereupon Motion made, and Question proposed, "That this House do now adjourn."—(*Captain Carnegie.*)

Motion, by leave, *withdrawn.*

After short Debate, Question, "That the word 'now' stand part of the Question," put, and *negatived* :—Words *added.*

Main Question, as amended, put, and *agreed to* :—Bill *put off* for three months.

The Lisburn Election—Motion made, and Question put, "That this House do now adjourn :"—(*Mr. Baines* :)—The House *divided ;* Ayes 19, Noes 142 ; Majority 123 1223

Motion made, and Question proposed,

"That Mr. Attorney General for Ireland be instructed to prosecute John Doherty Barbour, Robert Barbour, and Thomas Barbour, for bribery, treating, and undue influence committed by them at the late Election for the Borough of Lisburn."—(*Mr. Collins.*) ... 1224

Whereupon Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Bagwell.*)

Motion, by leave, *withdrawn.*

Question again proposed :— 1224

Amendment proposed, to leave out the words "Thomas Barbour."—(*Mr. Evans.*)

After short Debate, Question, "That the words proposed to be left out stand part of the Question," put, and *negatived.*

Main Question, as amended, put, and *agreed to.*

Resolved,

That Mr. Attorney General for Ireland be instructed to prosecute John Doherty Barbour and Robert Barbour, for bribery, treating, and undue influence committed by them at the late Election for the Borough of Lisburn.

Poor Relief—Select Committee *appointed,* *

"To inquire into the administration of the Relief of the Poor under the Orders, Rules, and Regulations issued by the Poor Law Commissioners and the Poor Law Board, pursuant to the provisions of the Poor Law Amendment Act, and into the operation of the Laws relating to the Relief of the Poor."

Ordered, That the Select Committee do consist of twenty-one Members :—

Mr. Villiers, Mr. Caird, Lord Edward Howard, Mr. Kekewich, Mr. Ayrton, Sir John Acton, Sir William Jolliffe, Mr. Walpole, Mr. Lyall, Mr. Alderman Sidney, Mr. Lowe, Mr. Bazley, Sir George Bowyer, Lord Fermoy, Mr. John Tollemache, Mr. Monckton Milnes, Mr. Locke, Lord Robert Cecil, Mr. Edward Pleydell Bouverie, and Colonel Pennant :—Power to send for persons, papers, and records ; Five to be the quorum.—(*Mr. Villiers.*)

House adjourned at a quarter
before Three o'clock.

LORDS, MONDAY, JUNE 22.

MINUTES.]—Select Committee — Library of the House (*List of the Committee*).

Public Bills—*First Reading*—Oaths of Allegiance and Supremacy [H.L.] (No. 150) ; Militia Pay *.

Second Reading — African Slave Trade Treaty * (No. 129) ; Volunteers (No. 140) ; Regimental Debts, &c. * (No. 141) ; Charitable Uses * (No. 152).

Committee — Thames Embankment (North Side) * (No. 107).

Report—London Coal and Wine Duties Continuance * (No. 104).

Third Reading—Prison Ministers (No. 146) ; Bleaching and Dyeing Works Act Amendment * (No. 43) ; Local Government Supplemental * (No. 130) ; and severally *passed.*

Royal Assent — Dockyards Protection Act Amendment [26 & 27 *Vict.*, c. 30] ; Cayman Islands [26 & 27 *Vict.*, c. 31].

Library of the House—Select Committee to consider of certain Matters relative to the Library of this House and to the Papers and Documents delivered for their Lordships' House, *appointed :* * The Lords following were named of the Committee :—

L. Abp. Canterbury, Ld. Chancellor, Ld. President, Ld. Privy Seal, D. Richmond, M. Bath, E. Stanhope, E. Malmesbury, E. Russell, V. Eversley, L. Willoughby de Eresby, L. Colville of Culross, L. Ponsonby, L. Wycombe, L. Redesdale, L. Colchester, L. Somerhill, L. Brougham and Vaux, L. Monteagle of Brandon, L. Cranworth, L. St. Leonards, L. Wensleydale, L. Chelmsford, L. Kingsdown.

Brazil—The Slave Trade—Question, Lord Brougham ; Answer, Earl Russell 1226

Oaths of Allegiance and Supremacy Bill—

A Bill to substitute the Oaths of Allegiance and Supremacy as enacted in an Act passed in the Second Session of Parliament in the First and Second Years of King William and Queen Mary instead of the Oaths now required to be taken by Her Majesty's Subjects other than Roman Catholics—Was *presented* by The Lord Campbell, and read 1ª. (No.150.) .. 1228

Ecclesiastical Commissioners—*Moved* to resolve,

"That, in the opinion of the House, the Necessity of the Case, and not the Incidents of Patronage, should be the main Consideration of the Ecclesiastical Commissioners, as laid down by the directing Statute."—(*Lord Ebury.*) 1234

After Debate, Motion (by leave of the House) *withdrawn.*

Prison Ministers Bill (No. 146)—

Bill read 3ª * (according to Order) with the Amendments.

An Amendment moved, at the end of Clause 3 to add the words "No Minister shall be appointed under this Act for any prison in which there is not a chaplain of the Established Church."—(*The Lord Polwarth.*)

Motion *agreed to :* Words *added.*

Another Amendment moved, at the end of Clause 4 to add the words "and no Minister shall be permitted to attend or visit any Prisoner belonging to any religious Persuasion differing from that to which such Minister belongs." — (*The Earl of Belmore.*)

Motion *agreed to :* Words *added.*

Another Amendment proposed, in Clause 5 to omit all the words after ("Fourteen Days") to the end of the Clause.—(*The Lord Redesdale.*)

Motion *negatived.*

Bill *passed,* and sent to the Commons.

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Volunteers Bill (No. 140)—

Moved, That the Bill be now read 2^{a}: (*Earl de Grey and Ripon.*) .. 1244

After short Debate, Motion *agreed to:* Bill read 2^{a}, and *committed* to a Committee of the Whole House on *Thusday* next.

House adjourned at a quarter before Eight o'clock.

COMMONS, MONDAY, JUNE 22.

MINUTES.]—NEW WRIT ISSUED—For Berwick-on-Tweed, *v.* Charles William Gordon, esquire, deceased.

PUBLIC BILLS—*First Reading*—Prisons (Ireland)* [Bill 178]; Nuisances Removal Act (1855) Amendment * [Bill 179]; Midwifery * [Bill 180]; Poisoning * [Bill 181]; Duchy of Cornwall Management (1863) (*Lords*) * [Bill 182].

Second Reading—Costs Security * [Bill 126], *deferred.*

Committee—London, &c. Dioceses (*Lords*) * [Bill 143]; Passengers Act Amendment [Bill 133]; Thames Embankment (South Side), *on re-committal;* Sir Robert Hitcham's Charity* [Bill 160]; Ruthin Charities * [Bill 161]; Inclosure (No. 2) * [Bill 167]; Poor Removal (No. 2) [Mr. Herbert] [Bill 96]—R. P.

Report—London, &c. Dioceses *; Passengers Act Amendment; Thames Embankment (South Side); Sir Robert Hitcham's Charity *; Ruthin Charities *; Inclosure (No. 2) *.

Considered as amended—Pier and Harbour Orders Confirmation [Bill 148]; Land Drainage (Provisional Orders) * [Bill 173].

Third Reading—Mutiny (East India) Act Repeal * [Bill 166]; Local Government Supplemental (No. 2)* [Bill 165].

LONDON (CITY) TRAFFIC REGULATION BILL [*Lords*]—

Motion made, and Question put,

"That, in the case of the London (City) Traffic Regulation Bill, Standing Order 185 be suspended, and that the Bill be committed to a Select Committee of Fifteen Members, of whom Ten shall be nominated by the House and Five by the Committee of Selection."—(*Sir John Shelley.*) 1247

The House *divided;* Ayes 95, Noes 100; Majority 5.

THE NEW HOUSES OF PARLIAMENT—CONTRACT WITH MR. SZERELMEY—Question, Sir Morton Peto; Answer, Mr. Cowper 1249

RELIGIOUS ENDOWMENTS (INDIA)—Question, Mr. Kinnaird; Answer, Mr. T. G. Baring 1249

PILOTAGE AUTHORITIES OF SHIELDS—Question, Mr. Ingham; Answer, Mr. Milner Gibson 1250

THE ST. HELENA REGIMENT—Question, Colonel Vandeleur; Answer, The Marquess of Hartington 1250

THE MHOW COURT MARTIAL—COLONEL CRAWLEY—Question, Mr. Coningham; Answer, The Marquess of Hartington 1250

UNITED STATES—RECRUITING FOR THE FEDERAL GOVERNMENT—Question, Mr. Ferrand; Answer, Sir George Grey 1251

INDIA RAILWAY SCHEMES—Question, Mr. Smollett; Answer, Mr. T. G. Baring 1252

ITALY—COMMERCIAL TREATY—Question, Mr. Baines; Answer, Mr. Layard .. 1252

THE KNOUT IN POLAND—Explanation of Mr. Layard 1253

THE AMERICAN BLOCKADE—Question, Lord Robert Cecil; Answer, Mr. Layard 1253

POLAND—POSTPONEMENT OF THE ORDERS OF THE DAY—

Motion made, and Question proposed, "That the Orders of the Day be postponed till after the Notice of Motion on the Affairs of Poland."—(*Viscount Palmerston.*) 1253

After Debate, Question put, "That the Orders of the Day be postponed till after the Notice of Motion on the Affairs of Poland;" and Mr. Speaker declared that "The Noes have it:"—

Whereon several hon. Members cried "The Ayes have it:"—Mr. Speaker again put the Question, and declared that in his judgment "The Noes have it;" but many hon. Members crying "The Ayes have it," and demanding a division:—The House *divided;* Ayes 110, Noes 165; Majority 55.

After long Debate, Question, "That this House do now adjourn,"—(*Mr. Horsman,*)—put, and *negatived.*

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Passengers Act Amendment Bill [Bill 143]—

Bill *considered* in Committee :— 1275

(In the Committee.)

Clause 3 (Definition of " Passenger Ship" enlarged)—Amendment to leave out the words " in all,"—(*Mr. Cave,*)—*agreed to.*

Clause 8 (Horses and Cattle may be carried in Passenger Ships under certain Conditions)—Amendment proposed, in Condition 1, " That animals be not carried on any deck below that on which passengers are berthed, nor in any adjoining compartment, except in a ship built of iron, and of which the compartments are divided off by water-tight bulkheads extending to the upper deck :" — (*Mr. C. Fortescue :*)—Amendment *agreed to.*

Amendment proposed, in Condition 2, that " ten" be substituted for "fifteen" :—(*Mr. Cave :*)—Amendment *agreed to.* 1276

Amendment proposed, in Condition 3, " fifteen" should be substituted for " ten" :—(*Mr. Cave :*—Amendment *agreed to.*

Amendment proposed, in Condition 4, that " ten" be substituted for " six :"—(*Mr. Cave :*—Amendment *agreed to.*

Addition to Clause 11, " Provided that cabin passengers shall not be entitled to recover, under the said section, more than half the money which may have been paid on account of their passage :"—(*Mr. Cave :*)—Amendment *withdrawn.* ... 1276

Another Amendment proposed—" Provided that in the case of cabin passengers so landed, only one half the passage money be recoverable."—(*Mr. C. Fortescue.*)

Remaining Clauses *agreed to.*

Bill *reported ;* as amended, to be considered *To-morrow.*

Thames Embankment (South Side) (*re-committed*) **Bill** [Bill 171]—

Bill *considered* in Committee ;— 1277

(In the Committee.)

Clauses 1 to 24 *agreed to.*

Clause 25 (Power to Board to borrow for Purposes of this Act)—Amendment proposed, to omit from the clause "700,000," for the purpose of inserting "481,000."—(*Mr. Cox.*) 1277

After short Debate, Amendment *agreed to.*

Clause *agreed to.*

Clauses 26 to 28 *agreed to.*

Clause 29 (Board may give their general Fund as collateral Security) *agreed to.* ... 1278

Remaining Clauses *agreed to.*

Bill *reported ;* as amended, to be considered *To-morrow.*

Pier and Harbour Orders Confirmation Bill [Bill 148]—

Bill, as amended, *considered.* 1279

Motion made, and Question put, " That the Bill be re-committed in respect of the Schedule, so far as the same relates to the Pier at Rhyl :"—(*Mr. Bass :*) —The House *divided ;* Ayes 50, Noes 19 ; Majority 31

Bill *considered* in Committee :— 1282

(In the Committee.)

Motion made, and Question put, " That the Schedule be amended, by inserting the Provisional Order relating to the Pier at Rhyl :"—(*Mr. Bass :*)—The Committee *divided ;* Ayes 50, Noes 28 ; Majority 22.

Bill *reported ;* as amended, to be considered *To-morrow.*

Poor Removal (No. 2) Bill [Mr. Herbert]—[Bill 96]—

Bill *considered* in Committee :— 1282

(In the Committee.)

Clause 1 (Provision for Removal of Natives of England or Scotland)—Amendment proposed, in line 14, after the word " Scotland," to insert the words " of English or Scotch parents, or of Irish parents having a settlement in England or Scotland, or being irremovable therefrom by reason of length of residence."—(*Mr. Charles Turner.*) 1283

After Debate, Question put, " That those words be there inserted : "—The Committee *divided ;* Ayes 73, Noes 43 ; Majority 30.

Motion, " That the Chairman report Progress,"—(*Mr. Herbert,*)—*agreed to.* ... 1286

Committee report Progress ; to sit again on *Thursday.*

Prisons (Ireland) Bill—

On Motion of *Sir Hervey Bruce,* Bill to amend the Law relating to Prisons in Ireland, *ordered* to be brought in by Sir Hervey Bruce and Sir Frederick Heygate :—Bill *presented,* and read 1°*. [Bill 178.]

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Nuisances Removal Act (1855) Amendment Bill—

On Motion of *Viscount Raynham*, Bill to amend the Nuisances Removal Act for England, 1855, with respect to the seizure of diseased and unwholesome Meat, *ordered* to be brought in by Viscount Raynham and Mr. Scholefield:—Bill *presented*, and read 1°*. [Bill 179.]

Midwifery Bill—

On Motion of *Viscount Raynham*, Bill to prohibit Unqualified Persons from the practice of Midwifery, *ordered* to be brought in by Viscount Raynham and Mr. Brown-Westhead:—Bill *presented*, and read 1°*. [Bill 180.]

Poisoning Bill—

On Motion of *Viscount Raynham*, Bill for the Prevention of Accidental Poisoning, *ordered* to be brought in by Viscount Raynham and Mr. Wykeham Martin:—Bill *presented*, and read 1°*. [Bill 181.]

Duchy of Cornwall Management (1863) Amendment Bill [*Lords*]—

Bill read 1°*; to be read 2° on *Monday* next, and to be *printed*. [Bill 182.]

House adjourned at half after
Eleven o'clock.

LORDS, TUESDAY, JUNE 23.

MINUTES.]—SELECT COMMITTEE—Borrowing Powers of Railway Companies, *appointed* (*List of the Committee*).

PUBLIC BILLS—*First Reading*—Mutiny (East India) Act Repeal* (No. 153); Local Government Supplemental (No. 2)* (No. 154).

Second Reading—Innkeepers' Liability* (No. 142); Officers of Royal Naval Reserve (No. 131); Inland Revenue* (No. 128); Militia Pay*.

Select Committee—Report—Telegraphs Bill* [Report No. 155, Bill 156].

Committee—Security from Violence* (No. 103 and 157).

Report—Thames Embankment (North Side)* (No. 151).

Third Reading—London Coal and Wine Duties Continuance* (No. 104), and *passed*.

ITALY—CASE OF MR. BISHOP—Explanation, The Marquess of Normanby .. 1288

CESSION OF THE IONIAN ISLANDS—Question, The Earl of Derby; Answer, Earl Russell 1289

BRAZIL—PERSONAL EXPLANATION—The Earl of Malmesbury 1290

Officers of Royal Navy Reserve Bill (No. 131)—

On Motion of *The Duke of Somerset*, Bill read 2ª, after short Debate, and *committed* to a Committee of the Whole House on *Thursday* next .. 1294

WEST HARTLEPOOL HARBOUR AND RAILWAY BILL—*Moved*,

"That the Special Report and Evidence upon the West Hartlepool Harbour and Railway Bill be referred to Her Majesty's Attorney General, with Directions to inquire into the alleged illegal Conduct of the late Directors and Auditors of the Company, and to institute a Prosecution against such Persons as, in his Opinion, can be convicted of illegal or fraudulent Conduct."—(*The Earl of Donoughmore.*) 1294

After Debate, Motion *withdrawn*.

Moved,

"That a Select Committee be appointed to inquire and report as to what Legislative Measures are desirable for the Purpose of restraining Directors of Railway Companies from exceeding the Limits of the borrowing Powers fixed by their Act of Parliament; from evading those Provisions of their Act of Parliament which require that a certain Portion of their authorized Capital shall be subscribed and paid up before their borrowing Powers can come into operation, and from expending the Funds of Companies for Purposes foreign to their Undertakings and unauthorized by the Legislature; and also to inquire what Securities can be given to the Holders of Debentures as to the Validity and Legality of the Issue of such Bonds."—(*The Earl of Donoughmore.*) ... 1302

West Hartlepool Harbour and Railway Bill—Resolution—*continued.*

The Lords following were named of the Committee:—

Ld. President, D. Devonshire, Ld. Steward, E. Airlie, E. Macclesfield, E. Powis, V. Hutchinson, L. Wodehouse, L. Redesdale, L. Portman, L. Stanley of Adderley, L. Dartrey, L. Overstone, L. Chelmsford, L. Taunton.

Moved,

"That the West Hartlepool Harbour and Railway Bill, together with the Evidence taken respecting it, be referred to the same Committee, with Instructions to consider and report whether the said Bill might be allowed to proceed, with the view of affording Relief to the Bondholders and Shareholders not implicated in the illegal Proceedings brought under the Notice of the House, without exempting those Persons who may have been Parties to those Proceedings from any Responsibility they may thereby have incurred."—(*Lord Chelmsford.*) 1033

Amendment, after the word "proceed" to add the words, "with or without Amendments:"—Amendment *agreed to.*

Motion, as amended, *agreed to.*

Milliners' Work-rooms and Dormitories—Observations, The Earl of Shaftesbury 1305

House adjourned at half past
Seven o'clock.

COMMONS, TUESDAY, JUNE 23.

MINUTES.]—Select Committees—Malt Duties, *appointed;* Westminster New Palace Approaches, *appointed.*

Report—Poor Relief* [No. 383]; Kitchen and Refreshment Rooms (House of Commons)*, *Third Report* [No. 384].

Public Bills—*First Reading*—Police and Improvement (Scotland) (Provisional Order)* [Bill 184].

Second Reading—Postmaster General (Sale of Land)* [Bill 174].

Committee—Vaccination (Scotland)[Bill 139]; Statute Labour Roads and Bridges (Scotland) [Bill 127] (*No Report*); Statute Labour Roads and Bridges (Scotland) Transfer [Bill 128] (*No Report*); Walmer Vesting* [Bill 170]; Port Erin Harbour (Isle of Man)* [Bill 123].

Report—Vaccination (Scotland); Walmer Vesting*; Port Erin Harbour (Isle of Man).*

Considered as amended—Savings Banks Acts Amendment [Sir Henry Willoughby]* [Bill 158 and 183]; Passengers Act Amendment* [Bill 143]; Pier and Harbour Orders Confirmation* [Bill 148]; Sir Robert Hitcham's Charity* [Bill 160]; Ruthin Charities* [Bill 161].

Third Reading—London, &c. Dioceses (*Lords*)* [Bill 133]; Land Drainage (Provisional Orders)* [Bill 85]; and severally *passed.*

Vaccination (Scotland) Bill [Bill 139]—

Bill *considered* in Committee:— 1307

(In the Committee.)

Clause 1 (Parochial Board to appoint a Public Vaccinator)—After short Debate, Clause *agreed to.*

Clause 2 (Parochial Board may contract with Public Vaccinator)—[The clause provided that the fee for each person vaccinated shall be not less than 2*s.* 6*d.* within two miles of the vaccinator's residence, and 3*s.* 6*d.* when beyond that distance]—

Amendment, that the fee be 1*s.* 6*d.* within two miles, and 2*s.* 6*d.* beyond that distance. —(*Mr. Blackburn.*)... 1309

Amendment *agreed to:*—Clause, as amended, *agreed to.*

Clauses 3 to 8 *agreed to.*

Clause 9 (Parents or Guardians to cause Children to be vaccinated)—Amendment, that the period, which was limited by the clause to three months, should be extended to six months.—(*Sir Andrew Agnew.*)

Clause, as amended, *agreed to.*

Remaining Clauses, with the exception of Clause 15 (struck out), *agreed to.*

Bill *reported;* as amended, to be considered on *Monday* next.

Statute Labour Roads and Bridges (Scotland) (*re-committed*) **Bill** —[Bill 127]—

Bill *considered* in Committee.—(*Sir John Ogilvy.*) 1309

(In the Committee.)

Clause 1 (Short Title).

Motion made, and Question proposed, "That the Chairman do now leave the Chair." —(*Mr. Dalglish.*)

After short Debate, Question put:—The Committee *divided;* Ayes 20, Noes 45; Majority 25.

Clause *agreed to.*

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STATUTE LABOUR ROADS AND BRIDGES (SCOTLAND) BILL—Committee—*continued.*

Clause 2 (Interpretation)—Amendment, to put the mainland and the smaller islands into separate districts,—(*Sir John Hay,*)—*agreed to.* 1311

Clause *agreed to.*

Clause 3 (Trustees may consider as to Adoption of Act at any Statutory General Meeting)—Amendment, to omit the Clause.—(*Mr. E. Ellice, St. Andrews.*) ... 1311

After short Debate, Bill *withdrawn.* [No Report.]

Statute Labour Roads and Bridges (Scotland) Transfer Bill—

Bill *withdrawn.* [No Report.]

WELSH MAILS—Question, Mr. R. P. Long; Answer, Mr. Peel 1313

FIFE ARTILLERY MILITIA—Question, Mr. Wyvill; Answer, The Marquess of Hartington 1313

CABS IN PALL MALL—Question, Lord Edward Thynne; Answer, Sir George Grey 1313

EDUCATION—THE REVISED CODE—Question, Lord Robert Cecil; Answer, Mr. Lowe 1314

MILLINERS' WORK-ROOMS AND DORMITORIES—Question, Mr. Bagwell; Answer, Sir George Grey 1315

THE GLASGOW MURDER—CASE OF JESSIE MACLACHLAN—Question, Sir Michael Shaw Stewart; Answer, Sir George Grey 1316

LANDLORD AND TENANT (IRELAND)—*Moved,*

"That, inasmuch as the measures of 1860, intended as a final settlement of the claims of the Irish tenant, have proved, by Returns laid upon the Table of this House, to have been wholly inoperative; and, inasmuch as the present condition of Ireland requires the special attention of Parliament, with a view to the adoption of wise and salutary laws, which may stimulate industry, and protect the enjoyment of its fruits, an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission to inquire into and report upon the state of the agricultural classes of Ireland, and to suggest such improvement in the relations between Landlord and Tenant as may seem necessary and expedient."—(*Mr. Maguire.*) 1317

After long Debate, Question put:—The House *divided;* Ayes 49, Noes 128; Majority 79.

MALT DUTIES—Motion made, and Question proposed,

"That a Select Committee be appointed to consider the effect of the Malt Duties upon the cultivation and price of Barley, and upon the manufacture and price of Malt and Malt Liquor; also upon the application of Malt to the feeding of Cattle and Sheep."—(*Sir Fitzroy Kelly.*) 1379

After short Debate, Motion, by leave, *withdrawn.*

Select Committee *appointed,*

"To consider whether, compatibly with the interests of the Revenue, the Laws relating to the Excise Duty upon Malt can be amended so as to operate more advantageously with reference to the cultivation and price of Barley, to the manufacture and price of Malt and Malt Liquor, and to the use of Malt in the feeding of Cattle and Sheep."—(*Sir Fitzroy Kelly.*)

And on July 13 *nominated:*—

Sir FitzRoy Kelly, Mr. Chancellor of the Exchequer, Colonel Barttelot, Mr. Hunt, Mr. Cobbold, Mr. Childers, Sir Stafford Northcote, Mr. Caird, Mr. Ker Seymour, Mr. Buxton, Sir Frederick Heygate, Mr. Calthorpe, Colonel Dunne, Mr. Dodson, Mr. Beach, Mr. Puller, Mr. Edward Egerton, Mr. Cobbett, and Mr. Stirling:—Power to send for persons, papers, and records; Five to be the quorum.

WESTMINSTER NEW PALACE APPROACHES—Motion made, and Question proposed, "That a Select Committee be appointed to inquire into the improvement of the Approaches to the New Palace of Westminster."—(*Mr. Tite.*) .. 1382

After short Debate, Question put:—The House *divided;* Ayes 40, Noes 15; Majority 25.

Select Committee *appointed,* "to inquire into the improvement of the Approaches to the New Palace of Westminster."

QUEEN'S COLLEGE, CORK—Motion made, and Question proposed,

"That there be laid before this House, a Copy of the several Depositions relative to the burning of Queen's College, Cork, together with any Reports or Communications to the Government on the subject, from any of the Professors of the College."—(*Mr. Hennessy.*) 1383

After short Debate, Question put:—The House *divided*; Ayes 14, Noes 34; Majority 20.

Police and Improvement (Scotland) (Provisional Order) Bill—

On Motion of *Mr. Bruce*, Bill to confirm a certain Provisional Order under the General Police and Improvement (Scotland) Act, 1862, relating to the Burgh of Leith, *ordered* to be brought in by Mr. Bruce and Sir George Grey:—Bill *presented*, and read 1° *. [Bill 184.]

House adjourned at a quarter after Two o'clock.

COMMONS, WEDNESDAY, JUNE 24.

MINUTES.]—SELECT COMMITTEE—*Report*—Private Bill Legislation * [No. 385].

PUBLIC BILLS — *First Reading* — Poor Law Board Continuance * [Bill 163]; Loan Societies * [Bill 185].

Second Reading—Leases and Sales of Settled Estates Act Amendment [Bill 119], *negatived*; Howth Harbour * [Bill 175]; Misappropriation by Servants [Bill 156].

Committee—Post Master General (Sale of Land) * [Bill 174].

Considered as amended—Walmer Vesting * [Bill 170]; Port Erin Harbour (Isle of Man) * [Bill 123].

Third Reading — Thames Embankment (South Side) * [Bill 171]; Passengers Act Amendment * [Bill 143]; Pier and Harbour Orders Confirmation * [Bill 148].

Withdrawn — Uniformity Act Amendment [Bill 104].

CONVICT PRISONERS—Question, Mr. Cave; Answer, Sir George Grey .. 1384

Uniformity Act Amendment Bill [Bill 104]—

Order for Second Reading read. 1385

Motion of *Mr. E. P. Bouverie*, "That the Order for Second Reading be discharged:"—After Debate, Motion *agreed to*.

Order *discharged*:—Bill *withdrawn*.

Misappropriation by Servants Bill [Bill 156]—

Order for Second Reading read. 1397

After short Debate, Bill read 2°, and *committed* for *Friday*.

ADMIRALTY BOARD—Order read, for resuming Adjourned Debate on Question [9th June], "That a Select Committee be appointed to inquire into the constitution of the Board of Admiralty, and into the different departments under the control of that Board."—(*Mr. Dalglish.*) 1398

Question again proposed,

After long Debate, Motion, by leave, *withdrawn*.

Leases and Sales of Settled Estates Act Amendment Bill [Bill 119]—

Order for Second Reading read. 1420

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Cox.*)

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Viscount Enfield.*) 1421

Question put, "That the word 'now' stand part of the Question:"—The House *divided*; Ayes 24, Noes 78; Majority 54:—Words *added*.

Main Question, as amended, put, and *agreed to*:—Second Reading *put off* for three months.

Poor Law Board Continuance Bill—

On Motion of *Mr. Gilpin*, Bill to continue the Poor Law Board for a limited period, *ordered* to be brought in by Mr. Villiers and Mr. Gilpin:—Bill *presented*, and read 1° *. [Bill 163.]

Loan Societies Bill—

On Motion of *Mr. Bruce,* Bill to make perpetual an Act to amend the Law relating to Loan Societies, *ordered* to be brought in by Mr. Bruce and Sir George Grey :—Bill *presented,* and read 1° *. [Bill 185.]

House adjourned at half after Five o'clock.

LORDS, THURSDAY, JUNE 25.

MINUTES.]—Public Bills—*First Reading* — Land Drainage (Provisional Orders)* (No. 160); Inclosure (No. 2)* (No. 161); Thames Embankment (South Side)* (No. 162); Passengers Act Amendment* (No. 163); Pier and Harbour Orders Confirmation* (No. 164).

Second Reading — Waywardens' Contracts [H.L.] (No. 148).; Naval Medical Supplemental Fund Society Winding-up Act, 1861, Amendment (No. 102); Sale of Mill Sites, &c. (Ireland)* (No. 105); Drainage and Improvement of Lands (Ireland) (No. 136), *and referred to Select Committee.*

Select Committee—Drainage and Improvement of Lands (Ireland) Bill (*List of the Committee*).

Committee—Leases and Sales of Settled Estates Act Amendment (No. 42 & 158); African Slave Trade Treaty* (No. 129); Volunteers (No. 140); Officers of Royal Naval Reserve* (No. 131); Inland Revenue* (No. 128); Militia Pay*.

Report—African Slave Trade Treaty*; Security from Violence* (No. 157); Inland Revenue*; Militia Pay*.

Third Reading—Thames Embankment (North Side)* (No. 151).

Waywardens' Contracts Bill [H.L.] (No. 148)—

On Motion of *Lord Redesdale,* Bill read 2^{a}, after short Debate, and *committed* to a Committee of the Whole House on *Monday* next. 1423

Leases and Sales of Settled Estates Act Amendment Bill [H.L.] (No. 42)—

House in Committee (according to Order): (*The Lord Chancellor.*) .. 1424

Moved, the insertion of a short clause (Repeal of Section 21 of recited Act):—(*Lord Chelmsford:*)—Clause *agreed to.*

New Clause—"It shall be lawful for the Court of Chancery, at any time, and from time to time, by an order to be obtained on petition in a summary way, of any trustees or trustee, or other persons or person now or hereafter having authority, either by way of trust or power, or otherwise, to mortgage, sell, exchange, make partition of, or enfranchise any settled estate, to extend or vary such authority in such manner as, having regard to the local or other circumstances of the estate, and the permanent interests of all persons entitled and to be entitled to such settled estate, shall appear to the Court to be expedient, and so that the Court may appoint in lieu of such person or persons any other person or persons to exercise any such authority, or to receive the consideration money (if any) payable on any such mortgage, sale, exchange, partition, or enfranchisement, or any part of such money, and may make such orders for the investment, application, or disposition of such money as the Court shall think fit; and every order made as aforesaid shall enable the donee or donees of such authority to exercise the same, as so extended or varied, either with, or, if the Court shall think fit, without the approval or further sanction of the Court, and shall not prejudice the right to exercise such authority in its original form; and any such extension or variation as aforesaid may include the sale, or, if the Court shall approve, the gratuitous alienation of portions of the settled estate for the construction of railways by incorporated companies, and for the investment of any money received as aforesaid in subscribing for or purchasing any shares in railway companies; provided that such railways or railway shall in all cases be so situated, planned, or constructed as that the present or future existence thereof does or will considerably and permanently increase the value of such settled estate."—(*The Lord Chancellor.*)

Motion (by leave of the House) *withdrawn.*

Report of the Amendment to be received *To-morrow;* and Bill to be *printed* as amended. (No. 158.)

Naval Medical Supplemental Fund Society Winding-up Act (1861) Amendment Bill (No. 102)—

On Motion of *The Duke of Somerset,* Bill read 2^{a}, after short Debate, and *committed* to a Committee of the Whole House on *Thursday* next. .. 1426

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Volunteers Bill (No. 140)—

House in Committee (according to Order): (*The Earl de Grey.*) .. 1427

Clauses 1 to 34 *agreed to.*

Clause 35 (8 & 9 *Vict.*, cc. 18 & 19, incorporated)—Amendment, to omit the Clause—(*Duke of Richmond*:)—After Debate, Clause *struck out.* 1427

Clause 36 (Mode in which Certificate of Lieutenant and Act of Parliament obtained) *struck out.*

Remaining Clauses *agreed to.*

Amendments made: The Report thereof to be received on *Monday* next; and Bill to be *printed* as amended. (No. 159.)

Offences (South Africa) Bill [H.L.]—

Commons' Amendments *considered* (according to Order), and *agreed to**.

Drainage and Improvement of Lands (Ireland) Bill—

Bill read 2ª * (according to Order), and *referred* to a Select Committee.

The Lords following were named of the Committee; the Committee to meet on *Monday* next, at Two o'clock, and to appoint their own Chairman:—

Ld. Steward, E. Lucan, E. Belmore, E. Bandon, E. Harrowby, E. Stradbroke, V. Hawarden, V. Hutchinson, L. Ponsonby, L. Wodehouse, L. Somerhill, L. Dartrey, L. Lyveden.

House adjourned at half past
Eight o'clock.

COMMONS, THURSDAY, JUNE 25.

MINUTES.]—SUPPLY—*considered* in Committee—CIVIL SERVICE ESTIMATES.
PUBLIC BILLS—*Resolution in Committee*—Public Works (Manufacturing Districts) [Advances].
Ordered—Prisoners Removal (Scotland)*.
Second Reading—Augmentation of Benefices (*Lords*)* [Bill 134]; Police and Improvement (Scotland) (Provisional Order)* [Bill 184]; Costs Security * [Bill 126].
Committee—Newcastle upon Tyne (Saint Mary Magdalen Hospital) [Bill 162]; Howth Harbour* [Bill 175]; Stipendiary Magistrates [Bill 150], and *re-comm.*; English Church Services in Wales (*Lords*) [Bill 81], *on re-committal*; Courts of the Church of Scotland (*Lords*)* [Bill 92], *on re-committal.*
Report—Newcastle upon Tyne (Saint Mary Magdalen Hospital) [Bill 162]; Howth Harbour* [Bill 175]; Stipendiary Magistrates [Bill 189]; English Church Services in Wales (*Lords*) [Bill 190]; Courts of the Church of Scotland (*Lords*) * [Bill 92].
Considered as amended—Harwich Harbour* [Bill 176].
Third Reading—Sir Robert Hitcham's Charity* [Bill 160]; Ruthin Charities* [Bill 161]; Walmer Vesting* [Bill 170]; Postmaster General (Sale of Land)* [Bill 174]; Port Erin Harbour (Isle of Man)* [Bill 123]; and severally *passed.*
Withdrawn—Poor Removal (No. 2) [Bill 96].

FORTIFICATIONS—THE EXHIBITION BUILDING—Notice, Sir George Grey .. 1431

THE CHINESE INDEMNITY—Question, Colonel Sykes; Answer, Mr. Peel .. 1431

POOR LAW IN IRELAND—INNISHOWEN UNION—Question, Mr. Hennessy; Answer, Sir Robert Peel 1431

EDUCATION IN SCOTLAND—Question, Mr. Dunlop; Answer, The Lord Advocate 1432

CASE OF MARY ANNE WALKLEY—Question, Mr. Dawson; Answer, Sir George Grey 1432

RELIGIOUS ENDOWMENTS (IRELAND)—Question, The O'Donoghue; Answer, Mr. Dillwyn 1434

On Motion of *Mr. Dillwyn*, Order for resuming Adjourned Debate *discharged.*

THE FOREIGN ENLISTMENT ACT—Question, Mr. Cobden; Answer, Mr. Layard .. 1434

MUSEUM OF IRISH INDUSTRY—Question, Mr. Cogan; Answer, Mr. Peel .. 1435

THE DISPUTE WITH BRAZIL—Question, Mr. Bright; Answer Mr. Layard .. 1435

THE SCOTTISH UNIVERSITIES—Question, Mr. Stirling; Answer, The Marquess of Hartington 1435

UNEMPLOYED UNMARRIED WOMEN IN THE COTTON DISTRICTS — Question, Mr. Ferrand; Answer, Mr. C. P. Villiers 1436

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THE MALTA AND ALEXANDRIA TELEGRAPH CABLE—Question, Sir William Gallwey; Answer, Lord Clarence Paget 1436

THE MHOW COURT MARTIAL — COLONEL CRAWLEY'S CASE — Questions, Mr. Coningham; Answer, The Marquess of Hartington 1437

Motion made, and Question proposed, "That this House do now adjourn."—(*Colonel North.*) 1439

After Debate, Question put, and *negatived.*

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

AFFAIRS OF POLAND—Question, Mr. Horsman; Answer, Mr. Layard .. 1444

EXHIBITION OF THE WELLINGTON FUNERAL CAR AT ST. PAUL'S—Question, Mr. Cavendish Bentinck; Answer, Mr. Cowper 1445

ARMY EXPENDITURE—Observations, General Peel 1448
Replies, Mr. T. G. Baring, 1453; and Mr. Peel 1457

SMALL ARMS—Observations, Mr. Hussey Vivian 1461
Reply, The Marquess of Hartington 1464

ENGINEER OFFICERS' RETIRING ALLOWANCES—Observations, Colonel Dunne; Reply, Mr. Peel 1467

THE CASE OF PAYMASTER SMALES—Observations, Mr. Coningham .. 1469

Motion *agreed to*:—

SUPPLY *considered* in Committee—CIVIL SERVICE ESTIMATES:—

(In the Committee.)

(1.) Original Question again proposed,

"That a sum, not exceeding £236,016, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for Public Education in Ireland, under the Commissioners of National Education in Ireland." 1470

Whereupon Motion made, and Question proposed,

"That a sum, not exceeding £230,500, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for Public Education in Ireland, under the Commissioners of National Education in Ireland."—(*Mr. Williams.*) ... 1474

After Debate, Question put, and *negatived.*
Original Question put, and *agreed to.*

(2.) Motion made, and Question proposed,

"That a sum, not exceeding £12,028, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for the Expenses of the National Gallery, including the purchase of Pictures." 1478

Whereupon Motion made, and Question proposed, "That the Item of £2,000, for Incidental Travelling Expenses, Agency, &c., be reduced by the sum of £1,000."—(*Mr. Coningham.*) 1479

After short Debate, Motion, by leave, *withdrawn.*
Original Question put, and *agreed to.*

(3.) £1,500, British Historical Portrait Gallery. 1481
After short Debate, Vote *agreed to.*

(4.) £3,141, to complete the sum for Magnetic and Meteorological Observations, &c.

(5.) £500, Royal Geographical Society.

(6.) £1,000, Royal Society.

(7.) £4,200, Bermudas.

(8.) £4,288, Ecclesiastical Establishment, British North American Provinces 1482
After short Debate, Vote *agreed to.*

(9.) £1,438, Indian Department, Canada.

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SUPPLY—CIVIL SERVICE ESTIMATES—*continued.*

(10.) £17,121, to complete the sum for British Columbia. 1482
After short Debate, Vote *agreed to.*

(11.) £2,500, Vancouver's Island. 1483
After short Debate, Vote *agreed to.*

(12.) £21,745, to complete the sum for Governors, &c., West Indies, and other Colonies. 1483
After short Debate, Vote *agreed to.*

(13.) £9,000, Stipendiary Justices, West India Colonies.

(14.) Motion made, and Question proposed,

"That a sum, not exceeding £10,230, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for the Civil Establishments on the Western Coast of Africa." 1484

Whereupon Motion made, and Question proposed, "That the Item of £2,000, for the Civil Establishments at Lagos, be omitted from the proposed Vote."—(*Sir Francis Baring.*) 1484

After Debate, Question put, and *negatived.*
Original Question put, and *agreed to.*

The following Votes were then *agreed to* without Debate:—

(15.) £5,602, St. Helena.
(16.) £700, Orange River Territory (Cape of Good Hope).
(17.) £5,000, British Kaffraria.
(18.) £960, Heligoland.
(19.) £4,286, Faulkland Islands.
(20.) £4,850, to complete the sum for Labuan
(21.) £300, Pitcairn's Islanders in Norfolk Island.
(22.) £26,622, Civil Establishment in New Zealand.
(23.) £5,000, Buildings at Cape York.
(24.) £6,720, to complete the sum for Emigration.
(25.) £116,543, to complete the sum for the Consular Establishments Abroad.
(26.) £71,054, to complete the sum for Establishments in China, Japan, and Siam.
(27.) £23,000, to complete the sum for Extraordinary Disbursements of Her Majesty's Embassies and Missions Abroad.
(28.) £30,000, to complete the sum for Special Missions, Diplomatic Outfits, &c., Colonial Officers and others.

(29.) £2,825, to complete the sum for Salaries of Third Secretaries at Her Majesty's Embassies and Missions Abroad. 1489
After short Debate, Vote *agreed to.*

(30.) £4,300, North American Boundary Commission. .. 1490
After Reply, Vote *agreed to.*

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

PUBLIC WORKS (MANUFACTURING DISTRICTS) [ADVANCES]—
Considered in Committee:—

(In the Committee.)

On Motion of *Mr. Chancellor of the Exchequer,*

Resolved, That the Commissioners of Her Majesty's Treasury be authorized to issue, out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, to an amount not exceeding Twelve Hundred Thousand Pounds, upon security of Local Rates, for facilitating the execution of Public Works in certain Manufacturing Districts.

Resolution to be reported *To-morrow,* at Twelve of the Clock. .. 1490

Newcastle-upon-Tyne (St. Mary Magdalen Hospital) Bill [Bill 162]—

Bill *considered* in Committee:—

(In the Committee.)

Clauses 1 to 8 *agreed to.*
Clause 9 (Sale of the Advowson)—Amendment, providing that it should be placed in the gift of the Bishop of the diocese.—(*Mr. Lygon.*) 1493
After short Debate, Amendment *withdrawn:*—Clause *agreed to.*
Clauses 10 and 11 *agreed to.*
Schedule—Amendment proposed to leave out paragraph 12.—(*Mr. Lygon*) ... 1494
After short Debate, Question put, "That paragraph 12 stand part of the Schedule:"—The Committee *divided;* Ayes 59, Noes 11; Majority 48.

Bill *reported;* as amended, to be considered *To-morrow.*

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Stipendiary Magistrates Bill [Bill 189]—

Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. H. B. Sheridan.*) .. 1494

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day three months, resolve itself into the said Committee,"—(*Mr. Lygon,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

After short Debate, Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to*:—Bill *considered* in Committee.

Bill *reported;* to be *printed,* as amended [Bill 189]; *re-committed* for *Tuesday* next.

English Church Services in Wales (*re-committed*) **Bill** (*Lords*)—[Bill 190]—

Bill *considered* in Committee (*Progress 22nd June*):—

(In the Committee.)

On Motion of *Colonel Pennant,* Clause 2 was omitted, and the following substituted:— 1495

(Provided, however, That in case the said incumbent shall fail or refuse to nominate a fit and proper person as minister to such chapel, or in case any disagreement or dispute shall arise between the persons so applying and the incumbent, either in respect of the sufficiency of the said services, or of the provision for the performance of such services, or for the minister, or in respect of the minister to be nominated, then the bishop of such diocese (after the expiration of three calendar months from the receipt of such application as aforesaid, due notice of such application having been given by the persons so applying to the incumbent,) may signify in writing to the incumbent the name of the minister whom it is his intention to nominate as the officiating minister of such chapel; and in case the incumbent shall not, within fourteen days from such last notification, signify in writing his dissent to such nomination, it shall be lawful for the bishop to nominate and license such minister: Provided, nevertheless, That in case the incumbent shall, within the same fourteen days, signify his dissent therefrom, such nomination shall be referred by the said bishop to the archbishop of the province in which such diocese shall be situated, and such licence shall not be granted without the approval in writing of the said archbishop.)—(*Colonel Pennant.*)

Clause *brought up,* and read 1°; 2°.

Amendment proposed, in line 6, after the word "nominated," to insert the words "to perform divine service in English."—(*Mr. Lygon.*) 1495

Question put, "That those words be there inserted:"—The Committee *divided;* Ayes 6, Noes 46; Majority 40.

Bill *reported,* with Amendments; as amended, to be considered on *Thursday* next, and to be *printed.* [Bill 190.]

Poor Removal (No. 2) Bill [Mr. Herbert]—[Bill 96]—

Order for Committee read. 1496

On Motion of *Mr. Herbert,* Order *discharged*:—Bill *withdrawn.*

Prisoners Removal (Scotland) Bill—

On Motion of *The Lord Advocate,* Bill to remedy certain defects in the Law relating to the Removal of Prisoners in Scotland, *ordered* to be brought in by The Lord Advocate and Sir George Grey *.

House adjourned at half after
One o'clock.

LORDS, FRIDAY, JUNE 26.

MINUTES.]—Public Bills—*First Reading*—Sir Robert Hitcham's Charity * (No. 165); Ruthin Charities * (No. 166); Walmer Vesting * (No. 167); Postmaster General (Sale of Land)* (No. 168); Port Erin Harbour (Isle of Man)* (No. 169).

Second Reading — Inclosure (No. 2) * (No. 161).

Committee — Regimental Debts, &c.* (No. 141); Innkeepers' Liability * (No. 142).

Report—Innkeepers' Liability *; Leases and Sales of Settled Estates Act Amendment * (No. 158).

Third Reading—African Slave Trade Treaty* (No. 129); Security from Violence * (No. 157); Inland Revenue * (No. 128); Militia Pay *; and severally *passed.*

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THE SLAVE TRADE AND SPAIN—Question, Lord Brougham; Answer, Earl Russell 1496

BETHLEHEM HOSPITAL—Petition in favour of the removal of Bethlehem Hospital, *presented* by the Earl of Shaftesbury 1497

Motion for—

1. The Annual Amount of the Revenues during the last ten years administered by the Authorities of Bethlehem Hospital :
2. Total Amount of Money received by the Hospital from Parliamentary Payments :
3. Average Number of Patients in the Hospital in each year for Ten Years, apart from the Criminal Patients :
4. The Total Number of Governors of the Hospital :
5. Number of Special Meetings since January 1863 in reference to the removal of Bethlehem Hospital, and Number of Governors present on each occasion :
6. The Questions proposed, and the Divisions taken :—(*The Earl of Shaftesbury.*)

After short Debate, Motion *agreed to.*

AMERICAN PRIZE COURTS—Question, The Marquess of Clanricarde; Answer, Earl Russell 1504

House adjourned at half past Six o'clock.

COMMONS, FRIDAY, JUNE 26.

MINUTES.]—PUBLIC BILLS—*Resolution in Committee*—Public Works (Manufacturing Districts) [Advances], *reported.*
Ordered—Public Works and Fisheries Acts Amendment*.
Committee—Public Works (Manufacturing Districts) [Bill 154]; Partnership Law Amendment* [Bill 172], *on re-committal*—R.P.; Misappropriation by Servants* [Bill 156].
Report—Public Works (Manufacturing Districts) [Bill 192]; Misappropriation by Servants* [Bill 193].
Considered as amended—Howth Harbour* [Bill 157]; Newcastle upon Tyne (Saint Mary Magdalen Hospital)* [Bill 162]; Removal of Irish Poor [Mr. Villiers]* [Bill 140]; Courts of the Church of Scotland (*Lords*)* [Bill 92].
Third Reading—Harwich Harbour* [Bill 176].
Withdrawn—Midwifery* [Bill 180].

PUBLIC WORKS (MANUFACTURING DISTRICTS) [ADVANCES]—Resolution *reported,*

"That the Commissioners of Her Majesty's Treasury be authorized to issue, out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, to an amount not exceeding Twelve Hundred Thousand Pounds, upon security of Local Rates, for facilitating the execution of Public Works in certain Manufacturing Districts." 1507

After Debate, Resolution *agreed to.*

Public Works (Manufacturing Districts) Bill [Bill 154]—

Bill *considered* in Committee :— .. .. ..

(In the Committee.)

Clause 1 (Charge on Consolidated Fund of £ to be at Disposal of Public Works Loan Commissioners)—Moved, to insert the sum of £1,200,000 in the Clause.—(*Mr. C. P. Villiers.*) 1517
Motion *agreed to* :—Clause *agreed to.*
Clause 2 *agreed to.*
Clause 3 (Power for Public Works Loan Commissioners to lend, and for Local Boards and Authorities to borrow, for the Purposes and on the Terms specified)—Amendment, providing for re-payment of loans after cessation of the blockade of the American ports :—(*Mr. Gregson* :)—After short Debate, Amendment *withdrawn.* 1518
Amendment, relating to Parochial Taxation for Public Works,—(*Mr. Henley,*)—*agreed to.*
Clause, as amended, *agreed to.*
Clauses 4 to 8 *agreed to.*
Clause 9 (Additional Powers for Local Boards or Local Authorities to execute Works of Improvement)—After Debate, Clause *agreed to.* 1518
Clause 10 *agreed to.*
Clause 11 *struck out.*
Remaining Clauses *agreed to.*
New Clause (Power to abandon the Local Government Act) :—(*Mr. C. P. Villiers* :)—After short Debate, Clause *added* to the Bill.
Preamble *agreed to.*

Bill *reported* ; as amended, to be considered on *Monday* next, and to be *printed.* [Bill 192.]

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Growing Crops in Ireland—Question, Sir Frederick Heygate; Answer, Sir Robert Peel 1523

General Mouravieff's Instructions—Question, Mr. Darby Griffith; Answer, Mr. Layard 1524

Rhyl Pier—Question, Mr. Humberston; Answer, Mr. Milner Gibson .. 1524

Scientific Institutions in Dublin—Question, Mr. Cogan; Answer, Mr. Peel 1525

Affairs of Poland—Questions, Mr. Bentinck; Answer, Mr. Hennessy .. 1525

Terry's Rifle—Question, Mr. H. Berkeley; Answer, The Marquess of Hartington 1526

Recognition of the Confederate States—Question, The O'Donoghue; Answer, Mr. Roebuck 1527

The Glasgow Murder—Case of Jessie MacLachlan—Question, Mr. Macaulay; Answer, The Lord Advocate 1527

The International Exhibition Building—Questions, Mr. Cavendish Bentinck; Answer, Sir George Grey 1527

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Bow Street Police Court—Question, Sir George Bowyer; Answer, Sir George Grey 1528

International Exhibition Building (Mr. Hunt)—Question, Mr. Dillwyn; Answer, Mr. Cowper 1529

The Glasgow Murder—Case of Jessie MacLachlan—Observations, Mr. Stirling; Reply, Sir George Grey 1531

The Irish Church Establishment—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the present Ecclesiastical Settlement of Ireland,"—(*Mr. Osborne*,)—instead thereof 1560

Question proposed, "That the words proposed to be left out stand part of the Question." 1582

After long Debate, on Motion of *Mr. Grant Duff*, Debate adjourned till *Monday* next 1590

Public Works and Fisheries Acts Amendment Bill—

On Motion of *Mr. Peel*, Bill to amend, as far as regards Advances for the purposes of "The Harbours and Passing Tolls, &c., Act, 1861," certain of the Acts authorizing the Advance of Money out of the Consolidated Fund for carrying on Public Works and Fisheries, and Employment of the Poor, *ordered* * to be brought in by Mr. Peel, and Mr. Chancellor of the Exchequer. *

House adjourned at a quarter after One o'clock.

LORDS, MONDAY, JUNE 29.

MINUTES.]—Public Bills—*First Reading*—Courts of Conciliation [h.l.] (No. 171); Jurisdiction of Justices * (No. 172); Harwich Harbour * (No. 174).

Second Reading—Metropolis Turnpike Roads Acts Amendment * (No. 145); Local Government Supplemental (No. 2)* (No. 154); District Parochial Churches (Ireland) * (No. 126).

Committee — Waywardens Contracts [h.l.] * (No. 148 & 173); Inclosure (No. 2)* (No. 161).

Report—Officers of Royal Naval Reserve * (No. 131); Inclosure (No. 2)*.

Third Reading—Leases and Sales of Settled Estates Act Amendment * (No. 158), and *passed*.

Withdrawn—Suitors Conciliation [h.l.] (No. 120).

Royal Assent—Inland Revenue [26 & 27 *Vict.*, c. 33];
Militia Pay [26 & 27 *Vict.*, c. 37];
London, &c. Dioceses [26 & 27 *Vict.*, c. 36];
Offences (South Africa) [26 & 27 *Vict.*, c. 35];
African Slave Trade Treaty [26 & 27 *Vict.*, c. 34];
Bleaching and Dyeing Works Act Amendment [26 & 27 *Vict.*, c. 38];
Local Government Supplemental [26 & 27 *Vict.*, c. 32].

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Suitors Conciliation Bill [H.L.] (No. 120)—

On Motion of *Lord Brougham*, Order for Second Reading To-morrow *discharged;* and Bill (by leave of the House) *withdrawn.* 1594

Courts of Conciliation Bill [H.L.]—

A Bill to enable Persons between whom disputes have arisen to settle their Differences without resorting to Litigation—Was *presented* by The Lord Brougham, and read 1a*. (No. 171.)

New Zealand—Petition from Taranaki, New Zealand, on the subject of the Distress brought upon them by the Native War, *presented* by Lord Lyttelton 1596

Poland—Observations, Earl Russell 1611

On the Orders of the Day being read, Notice of Motion (*Marquess of Clanricarde*) withdrawn 1612

House adjourned at half past Seven o'clock.

COMMONS, MONDAY, JUNE 29.

MINUTES.]—Supply — Resolutions (June 25) *reported.*

Public Bills — *First Reading* — Removal and Punishment of Prisoners* [Bill 194].

Considered as amended — Public Works (Manufacturing Districts [Bill 192].

The Mhow Court Martial—Questions, Mr. Coningham; Answer, The Marquess of Hartington 1614

New Circuit Arrangements—Question, Mr. Hadfield; Answer, The Attorney General 1617

The Hudson's Bay Company—Question, Mr. Arthur Mills; Answer, Mr. C. Fortescue 1618

Public Works (Manufacturing Districts) Bill [Bill 192]—

Bill, as amended, *considered.*

Questions, Mr. Bentinck; Answer, Mr. C. P. Villiers 1619

Amendments made.

Bill to be read 3° *To-morrow.*

SUPPLY—Resolutions (June 25) *reported*:—Motion made, and Question proposed, "That the said Resolutions be now read a second time:"—

Seizure of British Vessels—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "there be laid before this House, any Papers which Her Majesty's Government may have received from the British Consul at Key West, or from elsewhere, touching the proceedings of American Prize Courts,"—(*Mr. Peacocke,*) —instead thereof. 1633

After long Debate, Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Affairs of Poland—Observations, Mr. Horsman 1663

Diplomatic Service—Observations, Mr. Baillie Cochrane 1665

Missions to Greece—Question, Mr. Ayrton; Answer, Mr. Layard .. 1673

Main Question put, and *agreed to:*—Resolutions read 2°, and *agreed to.*

SUPPLY—The Irish Church Establishment—Order read, for resuming Adjourned Debate on Amendment proposed to Question [26th June], "That Mr. Speaker do now leave the Chair," and which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the present Ecclesiastical Settlement of Ireland,"—(*Mr. Osborne,*)—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question." 1675

SUPPLY—The Irish Church Establishment—*continued.*

After long Debate, Motion made, and Question put, "That the Debate be now adjourned:"—(*Colonel Greville*:)—The House *divided*; Ayes 67, Noes 228; Majority 161.

Original Question and Amendment again proposed:— 1716

After short Debate, Motion made, and Question, "That this House do now adjourn,"—(*Mr. Lanigan*,)—put, and *agreed to.*

Removal and Punishment of Prisoners Bill—

Bill for Remedying certain defects in the Law relating to the Removal and Punishment of Prisoners, *presented*, and read 1°*. [Bill 194.]

House adjourned at half after Two o'clock.

LORDS, TUESDAY, JUNE 30.

MINUTES.] — *Sat First in Parliament* — The Earl Brownlow, after the Death of his Grandfather.

Select Committee—*Report*—Railway Companies Borrowing Powers (Evidence *Parl. P.* 157).

Public Bills—*Second Reading*—Sheep and Cattle (Scotland)* (No. 144): Postmaster General (Sale of Land)* (No. 168).

Select Committee—Drainage and Improvement of Lands (Ireland) Bill—Viscount de Vesci and Lord Silchester *added.**

Committee—Sale of Mill Sites, &c. (Ireland)* (No. 105); Oaths Relief in Criminal Proceedings (Scotland)* (No. 72); Local Government Supplemental (No. 2)* (No. 154).

Report—Volunteers* (No. 159); Regimental Debts, &c.* (No. 141).

Third Reading — Waywardens' Contracts* (No. 148); Inclosure (No. 2)* (No. 161); and severally *passed.*

Poland—General Mouravieff—Question, The Earl of Shaftesbury; Answer, Earl Russell 1718

America—Question, Lord Campbell; Answer, Earl Russell 1719

Ionian Islands—Questions, The Earl of Derby; Answer, Earl Russell .. 1719

Also, Motion for, Copy of the Proclamation issued by Sir Henry Storks for the Annexation of the Ionian Islands to Greece.—(*The Earl of Derby.*) .. 1719

After long Debate, Motion (by leave of the House) *withdrawn.*

Ionian Judges—Case of Sir G. Marcoran and Sir A. Xidian — Questions, Lord Chelmsford; Answer, The Duke of Newcastle; and Observations, The Earl of Derby.. 1741

Milliners and Dressmakers—*Moved,*

That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to give Directions that an Inquiry should be made into the physical and moral Condition of the Milliners and Dressmakers by the Royal Commission now sitting on "the State of Children and young Persons in Trades and Manufactures not regulated by Law."—(*The Earl of Shaftesbury.*) 1754

After short Debate, Motion (by leave of the House) *withdrawn.*

House adjourned at a quarter before Nine o'clock.

COMMONS, TUESDAY, JUNE 30.

MINUTES.]—Public Bills—*Resolution in Committee* — Metropolis Main Drainage (Guarantee of Repayment of Money).

Ordered — Landed Property Improvement (Ireland)*.

First Reading—Militia Ballots Suspension*; Public Works and Fisheries Act Amendment* [Bill 198].

Second Reading—Poisoning [Bill 181], *negatived;* Corporal Punishment in Schools [Bill 169], *negatived;* Poor Law Board Continuance* [Bill 163]; Loan Societies* [Bill 185]; Prisons (Ireland)* [Bill 178].

Committee—Fisheries (Ireland) [Sir Robert Peel] [Bill 187]—r.p.

Third Reading — Public Works (Manufacturing Districts)* [Bill 192]; Howth Harbour* [Bill 175]; Newcastle-upon-Tyne (Saint Mary Magdalen Hospital)* [Bill 162]; Removal of Irish Poor [Mr. Villiers]* [Bill 140]; Savings Banks Act Amendment [Sir Henry Willoughby]* [Bill 183]; Courts of the Church of Scotland (*Lords*)* [Bill 92]; and severally *passed.*

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Fisheries (Ireland) Bill [Sir Robert Peel] [Bill 137]—

Bill *considered* in Committee (*Progress 19th June*) :—

(In the Committee.)

Clause 6 (Commissioners to inquire as to fixed Nets)—Amendment proposed, to leave out the words from "Commissioners" to "shall" in the fifth line :—(*Mr. Hassard* :)—After short Debate, Amendment, by leave, *withdrawn*. 1755

Another Amendment proposed, "but this and the foregoing clauses shall not apply to bag-nets erected and in use before 1848 :"—(*Sir Hervey Bruce* :)—After short Debate, Amendment, by leave, *withdrawn*. 1756

Clause 6 *agreed to*.

Clause 7 (Certificate as to certain fixed Nets)—Amendment proposed to the Proviso :—(*Mr. M'Mahon* :)—After short Debate, Amendment, by leave, *withdrawn*. ... 1757

Another Amendment proposed, in page 3, line 24, to leave out from the word "given" to the end of the Clause, in order to add the words, "and that at the time of granting such certificate such fixed engine was in accordance with law."—(*Mr. Butt*.) ... 1758

Question put, "That the words proposed to be left out stand part of the Clause :"—The Committee *divided* ; Ayes 63, Noes 4 ; Majority 59.

Another Amendment proposed, at the end of the Clause, to add the words "or any Act of Parliament."—(*Mr. M'Mahon*.) 1758

Question put, "That those words be there added :"—The Committee *divided* ; Ayes 38, Noes 37 ; Majority 1.

Clause, as amended, *agreed to*.

Clause 8 (Commissioners to inquire as to Fishing Weirs) *agreed to*.

Clause 9 (Compensation in certain cases, to Owners of Fishing Weirs)—Amendment proposed, to omit the Clause, and insert the following :—"1. The free gap shall be situate in the deepest part of the stream, between the points where it is intercepted by the weir. 2. The sides of the gap shall be in a line with and parallel to the direction of the stream at the weir. 3. The bottom of the gap shall be level with the natural bed of the stream above and below the gap. 4. The width of the gap in its narrowest part shall be not less than one-tenth part of the width of the stream ; provided always that such gap shall not be required to be wider than forty feet, and shall not in any case be narrower than three feet ; and provided, also, that no existing gap in any weir shall be reduced in width, or a gap of less width substituted in lieu thereof, or any alteration made therein, so as to reduce the flow of water through such gap :"—(*Mr. M'Mahon* :)—Amendment *withdrawn*. ... 1759

Another Amendment proposed, to leave out all the words after the word "Commissioners :"—(*Mr. Hodgson* :)—Amendment, by leave, *withdrawn* 1759

Clause *withdrawn*.

Clauses 9 to 15 amended, and *agreed to*.

Clause 16 (Weekly Close Season)—Amendment proposed, "in any tidal waters between the low water which shall happen next before six o'clock on Saturday evening, and the low water which shall happen next before six o'clock of the succeeding Monday evening, and in all other waters :"—(*Mr. Hassard* :)—Amendment *negatived*. ... 1763

Another Amendment, that the weekly close time should not terminate till twelve o'clock on Mondays :—(*Mr. Monsell* :)—Amendment, by leave, *withdrawn*.

Clause *agreed to*.

Committee report Progress ; to sit again on *Friday* at Twelve of the clock.

PUBLIC WORKS (IRELAND)—Question, Mr. Lanigan ; Answer, Sir Robert Peel 1763

THE "GIBRALTAR"—Question, Mr. Horsfall ; Answer, Mr. Layard .. 1764

Afterwards, Question, Lord Robert Cecil ; Answer, The Solicitor General .. 1764

CONSERVANCY OF THE RIVER STOUR—Question, Colonel Rowley ; Answer, Mr. Peel. .. ..

NAUTICAL SCHOOL, GREENWICH HOSPITAL—Question, Sir Morton Peto ; Answer, Mr. Stansfeld 1766

DEMOLITION OF THE CHURCH OF AUSTIN FRIARS—Question, Mr. D. Fortescue ; Answer, Mr. Cowper 1766

THE MHOW COURT MARTIAL—Questions, Mr. Coningham ; Answer, The Marquess of Hartington 1766

RECOGNITION OF THE SOUTHERN CONFEDERACY—Question, Mr. W. E. Forster ; Answer, Mr. Layard 1769

PRECEDENCE BETWEEN EDINBURGH AND DUBLIN—Question, Mr. Black ; Answer, Sir George Grey 1769

IONIAN ISLANDS—REMOVAL OF JUDGES—Question, Mr. Macaulay ; Answer, Mr. Chichester Fortescue 1770

AFFAIRS OF GREECE—Question, Mr. Seymour Fitzgerald; Answer, The Chancellor of the Exchequer 1770

UNITED STATES—FEDERAL RECRUITING IN LEEDS — Question, Mr. Ferrand; Answer, Sir George Grey 1771

UNITED STATES—RECOGNITION OF THE SOUTHERN CONFEDERACY—

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to enter into negotiations with the Great Powers of Europe, for the purpose of obtaining their co-operation in the recognition of the independence of the Confederate States of North America."—(*Mr. Roebuck.*) 1771

After long Debate, Debate *adjourned* till *To-morrow.*

Poisoning Bill [Bill 181]—

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Viscount Raynham.*) 1841

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Sir George Grey.*)

After short Debate, Question, "That the word 'now' stand part of the Question," put and *negatived* :—Words *added.*

Main Question, as amended, put, and *agreed to* :—Bill *put off* for three months.

Corporal Punishment in Schools Bill [Bill 169]—

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Viscount Raynham.*) 1842

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day two months."—(*Lord Edwin Hill-Trevor.*)

After short Debate, Question, "That the word 'now' stand part of the Question," put, and *negatived* :—Words *added.*

Main Question, as amended, put, and *agreed to* :—Bill *put off* for two months.

METROPOLIS MAIN DRAINAGE (GUARANTEE OF RE-PAYMENT OF MONEY)—

Considered in Committee :—

(In the Committee.)

On Motion of *Mr. Chancellor of the Exchequer,*

Resolved, That it is expedient to guarantee the repayment of any money that may be borrowed under the provisions of any Act of the present Session for the purpose of the Main Drainage of the Metropolis, together with the interest thereon; and, for the purpose of giving effect to such guarantee, it shall be lawful for the Commissioners of Her Majesty's Treasury to cause advances to be made, out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, of such sums as may be necessary for the repayment of such principal and interest, in aid of any other moneys applicable for that purpose under the said Act. 1843

Resolution to be reported *To-morrow.*

Prison Ministers Bill [Bill 191]—

Lords' Amendments *considered* :—Several *agreed to.*

Clause 3, Amendment, Page 2, line 28, after "communications," to insert "provided that any prisoner shall, on request, be allowed to attend the chapel or to be visited by the chaplain of the gaol; every minister appointed or permitted to visit prisoners under this Act shall hold his appointment or permission to visit during the pleasure of the authority by whom he was appointed or permitted to visit, and shall conform in all respects to the regulations of the prison at which he attends; no minister shall be appointed under this Act for any prison in which there is not a chaplain of the Established Church," read. 1844

Amendment proposed to be made thereunto, by leaving out the words "provided that any prisoner shall, on request, be allowed to attend the chapel or to be visited by the chaplain of the gaol."—(*Sir George Grey.*) 1845

Question put, "That those words stand part of the Amendment :"—The House *divided*; Ayes 19, Noes 28; Majority 9.

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Prison Ministers Bill—Lords' Amendments—*continued.*

Another Amendment proposed to be made thereunto—namely, to omit the words "No minister shall be appointed under this Act for any Prison in which there is not a Chaplain of the Established Church."—(*Sir G. Grey.*) 1845

On Question, "That those words stand part of the Amendment:" *Resolved* in the *Negative.*

Amendment, as amended, *agreed to.*

Subsequent Amendment *agreed to.*

Landed Property Improvement (Ireland) Bill—

On Motion of *Mr. Longfield*, Bill for the amendment in certain particulars of "The Landed Property Improvement (Ireland) Act, 1860," and to facilitate Agricultural Improvements in Ireland, *ordered* to be brought in by Mr. Longfield, Mr. Leader, and Mr. Hassard.*

Militia Ballots Suspension Bill—

On Motion of *The Marquess of Hartington*, Bill to suspend the making of Lists and the Ballots for the Militia of the United Kingdom, *ordered* to be brought in by The Marquess of Hartington and The Judge Advocate:—Bill *presented*, and read 1° *.

Public Works and Fisheries Acts Amendment Bill—

Bill to amend, so far as regards Advances for the Purposes of "The Harbours and Passing Tolls, &c. Act, 1861," certain of the Acts authorizing the Advance of Money out of the Consolidated Fund for carrying on Public Works and Fisheries, and employment of the Poor, *presented*, and read 1° *. [Bill 198.]

House adjourned at a quarter after Two o'clock.

HANSARD'S

PARLIAMENTARY DEBATES

IN THE

FIFTH SESSION OF THE *EIGHTEENTH PARLIAMENT* OF THE
UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*,
APPOINTED TO MEET 31 MAY 1859, AND FROM THENCE CONTINUED TILL 5 FEBRUARY 1863, IN THE TWENTY-SIXTH YEAR
OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

THIRD VOLUME OF THE SESSION.

HOUSE OF COMMONS,

Friday, May 29, 1863.

MINUTES.]—SELECT COMMITTEE—on Expiring Laws *appointed* (*List of the Committee*).
SUPPLY—*considered* in Committee— Committee R.P.
WAYS AND MEANS—*Resolutions* (May 28) *reported.*
PUBLIC BILLS—*First Reading*—African Slave Trade Treaty * [Bill 144].

DISTRICT POST OFFICES.

QUESTION.

SIR DE LACY EVANS said, he wished to ask the Secretary to the Treasury, What the Postmaster General intends to do with the nine residences attached to the District Post Offices situate at High Holborn, Vere Street, Buckingham Gate, Camden Town, Lambeth, Borough, Islington, Bethnal Green, and Commercial Road, which have been unoccupied for periods varying from one to five years?

MR. PEEL said, in reply, that the residences were intended to be occupied by the principal officers of the Post Office in charge of the district offices. The reason why they had not been occupied yet was, that the permanent appointments had not been made. It had been thought desirable that the officers in charge should be removed from one district to another, with a view of their becoming acquainted with each district. When the permanent appointments were made, the residences would be occupied by the several officers.

CASE OF SERGEANT-MAJOR LILLEY.

QUESTION.

MR. D. FORTESCUE, who had a Question on this subject on the Paper, gave notice that on this day week he would bring before the House the whole circumstances connected with the death of Sergeant-Major Lilley.

CAPTAIN ARCHDALL said, he wished to ask whether a Memorandum sent out to India by His Royal Highness the Commander-in-Chief relating to this case will be laid on the table.

THE MARQUESS OF HARTINGTON was understood to say that the Memorandum was to be moved for by another hon. Member, and he would make inquiries at the Horse Guards whether there would be any objection to lay it on the table.

CAPTAIN DEW—THE SIEGE OF SHON-HING.—QUESTION.

COLONEL SYKES said, he wished to ask the Secretary to the Admiralty, Whether it is the intention of the Admiralty to submit the conduct of Captain Roderick Dew, of Her Majesty's ship "Encounter," to the judgment of a court-martial for carrying on military operations in China beyond the thirty miles' radius from a Treaty port, at the siege of Shon-hing, fifty miles from Ningpo, in which the life of Lieutenant Tinling, of Her Majesty's ship "Encounter," was sacrificed, in disobedience of the instructions conveyed in Earl Russell's Despatch to Mr. Bruce, dated the 26th August, 1862.

LORD CLARENCE PAGET said, in reply, that the Admiralty had received no official intelligence with regard to the death of Lieutenant Tinling, probably because the Admiral was at Japan, the other side of the station. He had, however, seen a private letter from Captain Dew, in which he stated that he and Lieutenant Tinling accompanied the French officers to the siege of Shon-hing as amateurs. Of course the Admiralty could not say what they would do until they received official information on the subject.

OVERLAND ROUTE TO INDIA.
QUESTION.

MR. TORRENS said, he would beg to ask the Secretary of State for India, Whether Her Majesty's Government have taken into consideration the advantages that might result, politically and financially, from using the route through Egypt for our Troops going to and returning from India; whether any Correspondence on the subject has passed between the Secretary of State and any of the chief Authorities at either of the Presidencies in India on the subject; and, if so, will there be any obtion to lay the Correspondence upon the table?

SIR CHARLES WOOD, in reply, said, the attention of the Government had been directed to the subject, and he had been in communication with the Naval and Military Departments as to the best mode of carrying the measure into execution. Of course, there were several material considerations, connected with the matter—financial considerations and others relating to the health of the troops on their passage—which required to be studied. A Committee of that House had investigated the subject some time back, and had reported against it; but circumstances had since considerably changed, and he was inclined to think favourably of the possibility of carrying the suggestion into execution. The attention of the Home Government had been called to the subject by the Government of Bombay; but it would be of no use to lay the Correspondence before the House, as in its present state it would only mislead. He hoped, however, to be able soon to come to a definite conclusion.

BRITISH OFFICERS IN CHINA.
QUESTION.

MR. LIDDELL said, he wished to ask the Under Secretary of State for War, Whether British Officers temporarily employed in commanding or drilling Chinese Militia are still borne on the strength of their respective Regiments; whether while so employed they received Her Majesty's half pay; and whether their promotion goes on in the ordinary course?

THE MARQUESS OF HARTINGTON said, in reply, that as these officers were merely lent for the purpose of drilling militia, and as they were available for any duty which they might be called on to perform, they were still borne on the strength of their regiments. For the same reason, they still received regimental full pay, and not having been required to quit the British service, their promotion went on in the ordinary course. At the same time, he might mention that these officers were not allowed to proceed with the militia they were training beyond the thirty miles' radius around their respective ports.

STIPENDIARY INDIAN PRINCES.
QUESTION.

MR. ADAM said, he would beg to ask the Secretary of State for India, When the Return, which was moved for in May 1861, relative to Stipendiary Native Princes in India, will be laid upon the table; and what are the reasons which have caused delay in preparing a Return the importance of which is acknowledged by the India Office?

SIR CHARLES WOOD replied that the reason for not laying the Papers on the table of the House was that he had not received them. Why they had not come he could not say.

Mr. ADAM: They were moved for two years ago.

Sir CHARLES WOOD: I have sent for them, but I have not received them from India.

INDIA CIVIL FUND—QUESTION.

Mr. NEWDEGATE (who had a notice on the Votes to move for copies of Papers on the subject) said, he wished to ask the Secretary of State for India, Whether he will lay on the Table of the House the Papers mentioned in his (Mr. Newdegate's) Notice, either alone or in combination with others?

Sir CHARLES WOOD said, he was very willing to give all the Papers necessary to show the whole of the case. The Papers which the hon. Gentleman had enumerated in his Notice would not do this, and he (Sir Charles Wood) would therefore add to them all that was necessary. With this addition, he should make no opposition to the Motion.

LADY INGLIS'S PENSION—QUESTION.

Colonel DICKSON said, he wished to ask the Under Secretary of State for War whether it is the intention of the Government to make any special grant to the widow of the late Sir John Inglis, K.C.B., under the peculiar circumstances of her melancholy bereavement.

The Marquess of HARTINGTON said, in reply, that on the death of Sir John Inglis, Lady Inglis, by the direction of the late Sir George Lewis, received the largest amount of pension which it was in the power of the Secretary of State to grant. Since it had been granted, no official application had been received, which alone would enable the Secretary of State to apply to the Treasury, which had the sole power of granting a special pension.

CHICORY AND COFFEE—QUESTION.

Mr. CRAWFORD said, in the absence of his hon. Friend (Mr. Moffatt), he would beg to ask Mr. Chancellor of the Exchequer, Whether the restrictions which at present exist in regard to the Sale of Chicory and Coffee mixed are not now to be removed, in consequence of the equalization of Duty upon those articles?

The CHANCELLOR of the EXCHEQUER replied, that on the 29th of last month orders were issued by the Treasury to the Board of Inland Revenue, rescinding the orders of February and May 1853, which prescribed the limitation with regard to this mixture, and ordering the Board not to interfere with any proceedings with regard to it. The factitious inducement to the mixture being removed, there was no sufficient reason, the article being a wholesome one, to interfere with the freedom of the trade in those articles

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

TURKEY AND HER DEPENDENCIES.

PAPERS MOVED FOR

Mr. GREGORY said, that he regretted extremely that upon a recent occasion, when a discussion on Greece was brought forward by his hon. Friend (Mr. Baillie Cochrane), the matter in issue should have been extended, and that they should have found themselves engaged in a partial and premature debate on the condition of Turkey and her dependencies. As he was the chief culprit, he apologized for having led the House into that partial discussion. If, however, he was premature in bringing forward the subject, he had long felt that that question, at the shadow of which diplomatists were said to tremble, ought not to be shirked, and that it ought to be discussed by Parliament whether the policy of the past should be the criterion and standard of British policy for the future. He could not believe that even the most ardent advocates of the maintenance of the Ottoman Empire were prepared to argue that question upon abstract principles. It was a matter of expediency. Of two evils it was better to choose the least. It was thought wiser to prop up a dynasty rotten to its heart's core with corruption and misrule, a blight and a curse over every district and family of men upon which its shadow falls, rather than face a general convulsion, a European war, and the possible aggrandisement of Russia. He was not prepared to find fault with the policy of the past. It was impossible to over-estimate the result of a premature rush upon the assets of the "sick man," and he was bound to say that each successive statesman had done his best by expostulations and entreaties to remedy the barbarous nature of Turkish government. If those expostulations and entreaties had borne any fruit, that would have been the vindication of the past and the justification for the continuance of the same policy. But if, as he would show presently, entreaties, remonstrances, and warnings had not only been set aside, but deliberately disregarded, if the present state of Europe were totally different from what it was when that policy was expedient, then he would ask if the expressions which flowed so glibly from the lips of Gentlemen on the Treasury bench in favour of independence, self-government, and security were mere sound without significance or meaning, or whether those expressions were local and sectional in their application, referable to the rest of Europe, but totally inapplicable to people whose lot was cast to the east of the Adriatic. The fear of Russia had been the mainspring of our policy in the East. He was not disposed to say that the apprehension was exaggerated. He was not prepared to say that the old aggressive spirit of Russia had died out, or that its old diplomatic cunning had been forgotten. The intrigues of Russia in Greece, Circassia, and the Danubian Principalities showed that she was still intent on the policy of the past; but Russia in 1863 was very different from Russia in 1853. The Crimean war had used up all the material elements of Russian strength. No one, save a person who was in the East at the time, could form an idea of the profound impression which was created by the fall of Sebastopol. The day before the news arrived the general impression throughout the East was that the power of Russia was irresistible. The day afterwards the impression was as general that the prestige and reputation of Russia had crumbled into dust. There was also the just disaffection of Poland, eating into the heart of Russian strength; there was the struggle of new and old ideas surging like two conflicting tides throughout the length and breadth of that enormous empire; and there had arisen constitutional Italy close to the menaced possessions of the Porte. If, then, the prestige and power of Russia were thus abated, what was it which gave strength to Russian intrigues? He contended that it was the attitude of England; and that if we changed our policy, the weapons of Russian aggression would fall harmlessly to the ground. If the nationalities in the East saw that England was not indifferent to their wishes, and that she was anxious to see them emerge from the prostration of centuries, caused by Turkish barbarism and misrule, he believed they would hear very little more of Russian intrigues. The impression was, that the affinities in race and religion between Russia and two-thirds of the inhabitants of European Turkey made Russia irresistible, and must draw those people under the influence of the Czar. There never was a greater mistake. If they asked a Servian whether he wished to become a subject of Russia, he would tell them, emphatically and with truth, that he preferred his own independence and his own liberty to being at the beck of a Russian Governor, and to seeing himself or his friends hurried to Siberia simply because he or they chose to express their sentiments with freedom. But, if Servia had been disposed to join Russia, which she was not, Servia was not to be blamed; because, when the Servian emissaries at the Congress of Vienna appeared to remonstrate against the barbarities endured at the hands of Turkey, they were laughed at by the assembled diplomatists, and told to carry their complaints to Russia. In Greece there was an affinity of religion; but when Greece shook off her Bavarian ruler the other day, it was not to Russia that she turned. She paused to see how the news was received in England; and when she found the revolution favourably received, her thoughts were not turned to St. Petersburg, but to London. She determined to act by our advice, and abiding by our counsel, she had behaved with singular moderation and prudence amid great perplexities and disappointment. He was at a loss to find any ground upon which to justify the continuance of a policy which was not only illogical and inconsistent, but at the present moment actually inexpedient. It was illogical and inconsistent, because, in the case of these Turkish nationalities, England acted in a manner diametrically different from the manner in which she acted in Italy and elsewhere. She hailed with approval the rise of every country into the family of nations. She had been the true and stanch friend of Italy, and had supported her in all her difficulties. When Italy shook off her native princes, she did not appeal in their favour to the stipulations in the Treaty of Vienna. But when France wished to redress any great grievance or wrong, and to ameliorate the condition of these dependencies of the Porte, in order that when hereafter the break-up occurred, which every one expected, something established might be found; then England intrenched herself behind the stipulations of the Treaty of Paris in favour of Turkey, although it was notorious that Turkey had deliberately violated, and was violating, every one of those stipulations; and thus by acquiescing in these violations England became a conniver and participator in these Turkish iniquities. If the Chancellor of the Exchequer were present, he should ask him whether the course which we were pursuing was consistent or just, and he would remind the right hon. Gentleman of his memorable speech, delivered on the 4th of May 1858, upon the union of the Turkish Principalities. The right hon. Gentleman, speaking on the English policy of keeping the dependencies of the Porte weak, disunited, and oppressed, made use of these memorable words—

> "It will be a dangerous and slippery course on which to embark when we refuse that which is suited to four or five millions of men, and when we say that God Almighty sent them into the world, not to pursue their own happiness and welfare by such unreasonable means as are in their power, but to be made the victims of those public and private interests, which are subserved by other views, extraneous to their interests, but which an overpowering force has determined to carry into effect. . . . Surely the best resistance to be offered to Russia is by the strength and freedom of those countries that will have to resist her. You want to place a living barrier between her and Turkey. There is no barrier, then, like the breasts of freemen. . . . . If you want to oppose an obstacle to Russia, arm those people with freedom, and with the vigour and prosperity that freedom brings, but after the pledges that have been given and the wishes that have been excited and stimulated, do not keep them in this miserable state of weakness and disunion. Do not palter with them. After the pledges which have been given, do not withhold that which alone can satisfy their desires and vindicate your fame, but give them that which, if you will give them, will raise up in that quarter friends for you and antagonists to the ambition of Russia more powerful than any you can buy for money."—[3 *Hansard*, cl. 59.]

Those were the expressions of the Chancellor of the Exchequer, and he claimed them for himself on the present occasion. He would ask the House to apply them to Bosnia, Bulgaria, the Herzegovine, the Greek Islands, and above all to Servia. All he desired was this, that when the sick man died, as he in all likelihood would ere long, like one of his own pariah dogs, unhonoured and unlamented, there should be found some free, self-governing communities towards which the remains of the shattered Turkish empire might gravitate, without convulsion and without disturbance. There was hardly, he might add, a post which arrived from the East which did not bring accounts of anticipated massacres and insurrections in every quarter. Those shocks might be at present comparatively slight, but they were premonitory of something far graver. Now, what he wanted was, that precautions should be taken to render that break-up, which must assuredly come, as innocuous as possible. Premonitory symptoms, such as those to which he referred, had been long remarked in Italy. Precisely the same signs appeared there as were now being exhibited in the East. He was reading the other day a despatch from M. Chateaubriand, which contained some passages most apposite to his argument. M. Chateaubriand, in writing a despatch on Italian affairs in the year 1829, made use of the following expressions:—

> "The world takes for conspiracies what is only general uneasiness, the result of the times, the struggles of old society with the new, the combat of the decrepitude of the old institutions against the energy of young generations, and lastly, the comparison which every one makes between what is and what may be."

Those words were a commentary on what was then taking place, and a prediction as to events which had since come to pass, and which we ourselves had fostered and encouraged. Now, he trusted that we should not be found fighting on the side of old and decrepid institutions against the wants and aspiration of a new generation, and that we should not be the only nation in Christendom, with the exception of Austria, in favour of the Mohammedan barbarism which is instead of the Christian civilization which might be. He could not, he might add, help thinking, that if the Chancellor of the Exchequer were free from the trammels of office, he would be found rising in his place to support the view which he advocated.

He did not wish to enter into a description of the present state of Servia. It was sufficient to say that her people were happy and contented with their Government, and that she had gained much by escaping from the grasp of Turkey. If hon. Gentlemen would read—which they probably would never do, for the book was a dull one—Ranke's *History of Servia,* they would find that under the Porte that country was a scene of insurrection, massacre, and bloodshed; that her population was brutalized, and that there was no security for either life or property. She was, in short, in the same position as the Sclavonic dependencies of the Porte by which she was now surrounded. But if any one wished to see the reverse of that picture, he would be able to do so by referring to a work which had been written by an English clergyman who had visited Servia this year, the Rev. Mr. Denton. He would find, from that account, that her people had become happy and contented; that improvements were steadily going on; that roads were constructed in all directions, and that all the progress which she had thus made had followed her escape from Turkish rule. The clergy in Servia were respected. She had a popular Assembly, elected by universal suffrage, and that Assembly had used its power with judgment and moderation. With such an example before their eyes, one would have supposed that Her Majesty's Government would have endeavoured, as far as lay in their power, to promote the security and advancement of Servia, and to bring the Sclave dependencies of the Porte into a similar position. When, however, an insurrection had, a year or two ago, broken out in the Herzegovine, provoked by the intolerable tyranny of the Turkish Government, we took a course exactly the reverse of that which we pursued in the case of Italy. He had been told by a person of undoubted authority, that the Italian sympathizers had been led to understand that they might conduct their operations as they pleased in Sicily and Naples; but that if they attempted to cross the Adriatic, they would find an English vessel to meet them. His hon. Friend the Under Secretary for Foreign Affairs had, moreover, procured money for the Porte, to enable it to preserve its solvency and march its army into the revolted districts. He would, no doubt, say that those oppressed subjects of the Porte were miserable rebels, unworthy of English consideration and regard, while he was among the most strenuous supporters of the divine right of insurrection upon the other side of the Adriatic. But to go back to the case of Servia, he maintained that she furnished a notable example of what might be the advantageous results of an escape from Turkish rule. We, however, instead of taking advantage of the circumstances which had arisen to increase the stability of that country, rewarded, instead of punishing, last year, when a most unprovoked and barbarous outrage was committed upon her, the persons by whom it was perpetrated. Instead of cutting away those sources of discontent which existed in Servia—a course which the French Government begged of us to take—we had made them permanent—we strengthened and enlarged the Turkish fortresses. When, he might observe, the Turks first conquered Servia, a number of invaders entered with them, and remained and occupied the country; and when she recovered her independence, those Turks still continued to occupy several towns and forts. In the year 1830—an important date—on the peace of Adrianople, and in accordance with the stipulations of the Treaty of Akerman, the Sultan Mahmoud issued a Hatti Sherif granting to the Servians certain rights. That Hatti Sherif he might call the Magna Charta of Servia. By it the Porte stipulated that all the Turks holding property in Servia should quit the country within a period of twelve months, and that the authority of the Porte should not interfere with the internal administration of the affairs of the country; the main point being, that the article of the Convention should be in accordance with the understanding of the Servian people. In 1833 the Porte issued another Hatti Sherif, taking away from the Servians all that had previously been granted, and giving to the Turks permission to remain in the country. This was a purely and entirely illegal act. It was not executed with the co-operation of the Servian deputies, and never received the sanction of the Servians. The Russian Government never appealed to the second Hatt, because it was notorious at Constantinople and elsewhere that it was Russia, for whose fancy things were going on too well in Servia, who instigated the Porte to withdraw from the Servians the concessions which had been granted only three years before. But throughout the papers, Mr. Longworth, Earl Russell, or Sir H. Bulwer never referred to the Hatti Sherif of 1830, but only to the illegal one of 1833.

He would not enter into the disputes and discussions which were continually going on between the Servians and the Turks. Let it suffice to say, that the main point in dispute latterly was the occupation by the Turks of four gates in the interior of the town. These gates had as little to do with the fortifications of Belgrade as had the Temple or Holborn Bars to do with that of London. There was no doubt that the Turks had a right to garrison them; but their presence thus in the interior of the town led to constant disputes: it was as if there had been a garrison of cats in the midst of a community of dogs. The Servian Government saw the evil and the danger of this state of things, and in February 1861 M. Garaschanin, the President of the Ministers, went to Constantinople to endeavour to come to terms with the Porte upon the subject. All he asked was that the Turks should remove their garrisons from the gates, the Servians, in return, being willing not to press for the removal of the Turks from the country, on condition that they should render obedience to the law. M. Garaschanin remained at Constantinople from February till October, fed on promises, in accordance with that procrastinating policy of the Turks, which was pursued not only from their indolence, but from its eminent success; so much so that there was an Arab proverb, that a Turk on a broken-winded donkey would tire a gazelle to death. He then returned to Belgrade, having warned the Porte that an outbreak must occur, and that it would be impossible to preserve the peace. Sir Henry Bulwer himself, in one of his despatches, referred to the apathy and procrastination of the Turks, and to the impossibility of inducing them to come to any decision upon this subject. For some time previous to the 15th of June, there had been constant disputes and contests between the Turks and the Servians, in which persons had been killed on both sides. On that day a Servian boy went to a well near one of the Turkish guardhouses. He was driven off by two Turkish soldiers, and so severely beaten that he died the same day. The Servian gendarmes arrested the two soldiers, and were taking them to the Turkish guardhouse, when the Turks rushed out, fired upon the Servians, and killed two of them. The Servians immediately rushed to arms and attacked the Turkish guardhouses. Two of them were taken by storm, and the attack upon the third, in which were the two original offenders, was continued all night, during which time, no doubt, great outrages were committed. The statement of Mr. Longworth, that after the fight was over a cart-load of dead Turkish women was taken to the citadel, was entirely contrary to the truth. It had been proved upon oath that during the night five women were killed, of whom three were Servian, and two Turkish. At length a truce was made, and a convention was signed by the Pasha, the foreign Consuls, and the President of the Council, providing that the Turks should be taken out of the guard-house, and delivered to the Pasha in the citadel. These terms were religiously fulfilled, and everything was believed to be settled. On the following morning, however, at half past eight o'clock, the President of the Council received a message from the Pasha desiring his presence, and that of the Consuls in the citadel. The Consuls were on their way to the citadel, when all at once there commenced the barbarous bombardment of an unoffending town, which lasted for five hours. Fortunately no great destruction of life was occasioned, because the Turks were very bad marksmen, and their shells did not explode. The shells were, however, scattered about the town, and there they might be seen to this day. At last the Austrian Consul got into the citadel, and with much difficulty put an end to the bombardment. In order to prevent its repetition, the French Consul General pitched his tent on the glacis of the fortress, while Mr. Longworth pitched his in front of the Servian barricades. In the middle of the night the French Consul heard the Turks called to arms. He rushed into the citadel, and found that the Pasha was about to renew the bombardment, because lights were moving about—these lights being actually on the Austrian side of the water —and it was only when threatened with the displeasure of the Emperor Napoleon that he abandoned his intention. Mr. Longworth's account differed from this, but Mr. Longworth was a man who was Turkish in heart and soul, and who believed that the Turks were a long-suffering and benevolent class of people horribly oppressed by overbearing and tyrannical Christians. The statement which he had now made to the House would be found in the book of Mr. Denton, who stated that he derived his information from a foreign gentleman who was unconnected either with the Servian Government or the Turkish authorities, and whose impartiality was to all who knew him a guarantee of the fidelity of his narrative. He would mention the name of this gentleman to any hon. Member in confidence, but he would not state it publicly lest its publication should injure him. The report received from M. Tastu, the French Consul General, corroborated this statement as to the origin of the quarrel. In writing to M. Thouvenel on the 21st of June 1862, he said—

> "I cannot paint to your Excellency the stupefaction and indignation of this city (Belgrade), when the bombardment commenced without any

warning, after a day spent in executing religiously the convention concluded under the auspices of the consular body—that is, that with every possible courtesy the Mussulmans should be conducted to the fortress, although at the time the citadel and even certain Turkish houses never ceased firing shots at the town."

M. Tastu went on to say that the shops had been opened, and that every armed Servian had gone in procession to the burial of two Servian officers killed the preceding evening, when "in the open day, when the light penetrated everything, and when there could be no excuse from the troubles and events of the past night, the Pasha ordered an act to be committed which even the most cruel and menacing aggression could not have justified." The Prussian Consul backed up the statement of M. Tastu, and asserted that every pretext for bombardment was wanting. The account derived from the Italian Consulate in Belgrade entirely justified the Servians and condemned the outrage on the part of the Turks. It was a curious circumstance, in connection with these papers, that in the series of documents whitewashing the Turks, making excuses for what they did, and endeavouring to create false impressions in this country as to their abominable violence, Mr. Longworth had not dared to insert the document forming the cardinal point and pivot on which the merits of the whole transaction rested. The paper he referred to was the protest signed by the whole of the Consuls against this barbarous outrage on the part of the Turks. Mr. Longworth did not include that in the series, because he knew that it would be inconsistent with all the others, and that it would prove a signal refutation of everything else that he had written. He forgot how long his hon. Friend (Mr. Layard) had been endeavouring in that House to obtain the production of the protest, which, it appears, Mr. Longworth was very unwilling to give, and naturally was unwilling to give that which was alone the direct contradictions to his statements. The House would perceive from its terms that this reluctance was very natural—

> "The Pasha Governor of Belgrade, having given orders for the bombardment of the town, without any previous notice, and having, it is true, convoked the consular body, but without having ever heard them, and when every one had the right to rely upon the convention passed with the Servian Government in the presence of all the members of the consular body, the undersigned leave upon him the responsibility of an Act so contrary to the principles of the rights of nations, and, having protested in the most formal manner, they can henceforth do no more than wait in the bombarded town the fate which may befall their countrymen until the orders of their Government may reach them.—Signed by Longworth, Tastu, Meroni, and Vlangely."

He was perfectly convinced that the noble Lord the Secretary for Foreign Affairs had never seen that document, and did not know of its existence, when he wrote his memorable answer to the expostulations of the Prince of Servia, who represented that it would be impossible to govern the country if such outrages were to be permitted. The noble Lord said—

> "It appears that an attack was made by the Servians on the gates of the town, occupied by the Turks in virtue of ancient usage and recent treaties, especially the Treaty of Paris of 1856. Two of these gates having been carried by assault, the Consuls persuaded the Turks to evacuate the remaining two—in all, four gates. But no sooner had the Turkish residents left their houses than those houses were plundered by a disorderly mob. For this pillage and disorder no redress was offered by the Servian authorities, and the next morning muskets were fired at the garrison in the citadel."

Had Earl Russell read Mr. Longworth's despatches, he would have seen that compensation was distinctly offered for any property destroyed, and would not have committed himself to a statement directly the reverse of fact. He would have seen also that the muskets were fired, not by the Servians, but upon the Servians, from the fortress and from Turkish houses. Earl Russell proceeded to apologize for the bombardment—

> "So far as Her Majesty's Government are informed, these lamentable events had their origin in the violation by the Servians of the relations established by treaties between the Sublime Porte and Servia."

And he went on to give a scolding to the Prince of Servia—

> "So long as ill-intentioned persons are allowed to draw your Highness into measures of defiance and of violence, in open violation and contempt of solemn treaties, it is impossible that Her Majesty's Government can ask the Sultan to give to his enemies means for assailing the security of his empire."

The noble Lord had been the victim of lengthened correspondence with Mr. Seward, and must be aware how much mischief a correspondence of scolding and menace did, not only to the person who indited such letters, but to the country by which despatches written in that spirit were permitted. The noble Lord was infinitely more to blame than Mr. Seward, for the noble Lord knew well what he was about, whereas Mr. Seward walked according to the light which was in him, and about him, knowing no better. The Earl of Clarendon, when at the head of Foreign Affairs, did not write letters of scolding and menace to every foreign Power with which he entered into correspondence, and yet he was not aware that the interests of England had suffered in consequence of any want of spirit in his style of correspondence. The Servians having been bombarded within an inch of their lives, diplomacy stepped in. M. Thouvenel wrote a letter to the French diplomatic agents on the 21st of July 1862, in which he said—

> "While the right of garrisoning these fortresses incontestably belongs to the Porte, I do not hesitate to believe that the Porte would act wisely in acceding to the demands of Servia. Turkey, in evacuating these provinces, would find itself placed in the same position it occupied towards Moldo-Wallachia and Egypt. The Ottoman Government does not possess in these provinces any right of garrison, and its suzerainty suffers nothing in the absence of fortified spots, which would in truth be, as in the case of Servia, merely occasions for conflict. The personal experience which I have of the disposition of the Servians induces me to believe that they would be little disposed to abuse these concessions. Their discontent can alone induce them to favour those troubles which may arise in other Turkish provinces. On the contrary, if their wishes were satisfied, they would have less inclination than ever to second those of neighbouring populations. I see no better means for the Porte to take away from these agitations the only chance they have of creating real danger than by deferring to Servian demands."

M. Thouvenel's counsels were perfectly right; but they did not prevail, for England said these fortresses should remain, and Austria coincided in that opinion. What was the result? Three hundred houses were to be levelled at Belgrade, in order to increase the *rayon* of the fortress. It might have suited Austrian policy some time ago that the Sclave populations should be depressed, but he did not think such a course was in accordance with the present interests and new policy of the Austrian empire. An opinion had been expressed upon this subject by the right hon. Gentleman the Chancellor of the Exchequer, in the debate on the Danubian Principalities, which took place in May 1858. He said—

> "It is natural that Austria should view with the utmost jealousy anything that tends to give freedom, vitality, and strength to her neighbours on the Danube. It is impossible to blame her on that account, but it is probable, it is natural, it is reasonable and right, that we at least should beware of being drawn into her policy. . . . I must really say, that if it were our desire to embroil the East, to sow the seeds, and create the elements of permanent difficulty and disunion, to aggravate every danger which threatens Turkey, to pave the way for Russia, and to prepare willing auxiliaries for Russia in her projects southwards, we could not obtain that object by any scheme better than of abandoning our pledges and promises, and giving in to the Austrian policy."—[3, *Hansard*, cl. 65.]

A practical commentary upon what had occurred was furnished in the letter of *The Times* correspondent, who said, in writing from Belgrade during the present year—

> "Since the last bombardment many mercantile houses have crossed from Belgrade to Semlin. With the present re-inforcement of the Turkish garrison no new firms will come in. They will prefer to settle in Semlin—a result advantageous to Austria, but certainly not to the Sultan, nor to free-trading England."

A few figures would show clearly the lamentable effects of the bombardment. During six months of 1860 and a similar period of 1861 the imports into Belgrade amounted to 30,000,000 and 31,500,000 of Turkish piastres. For the corresponding six months in 1862, following the bombardment, they had fallen to 16,000,000, being a decrease of trade amounting to exactly one-half. This is indeed a melancholy achievement on the part of England. Austria may rejoice in the depression of a neighbouring people, whose advancement to power she dreads. Russia may rejoice at the prospect of Servia being drawn into the circle of conspiracy and revolt. But what can England rejoice at? Is it in losing a great opportunity of acquiring the confidence of the Sclavonic inhabitants of Turkey? Is it in being utterly untrue to all those antecedents which she most delights to glorify—sympathy with the oppressed and aversion to oppressors? The noble Lord at the head of the Government made a speech not long ago at Edinburgh which he had read with great pleasure. Drawing his inspiration, like the old Greek orators, from the natural scenery round him, he compared England to the rock of Dumbarton; how she was the citadel of freedom; how she had held out her hand to Greece, to Italy, to Belgium, to Portugal, and to Spain, and was willing to assist all other nations exerting themselves to obtain the blessing of free and Parliamentary institutions. He supposed, that if the noble Lord had been reminded of Servia, he would have replied that every rule had its exception, and that Servia was his exception. But would the House of Commons, with the words of the Chancellor of the Exchequer still hot and ringing in their ears, admit such an exception? He (Mr. Gregory) had said some time ago that Turkey was sick unto death, and that it was time to put her house in order and look out for a successor. He would not say that she might not linger on a little longer under the stimulants of English doctorings and of English capital, if we were fools enough, on the recommendation of his hon. Friend (Mr. Layard), to pour the hard earnings of the nation into this Serbonian bog of extravagance and misappropriation. But he denied that anything could revive that which was rotton to the core. No man, even if endowed with superhuman vigour, could infuse new life into that which was paralysed by vice, or struggle against the notorious administrative incapacity which characterized that Power. If an angel came down from heaven, he could not do it; he would return to the place from whence he came weeping such tears as angels are said to weep; and from all we hear, the present Sultan has uncommonly few of the attributes of an angel. The proofs of this assertion would be found not in blue-books or pamphlets got up to mislead public opinion, but in our own Consular Reports and in the despatches of the Foreign Office. Some papers were presented to the House which contained an account of the farewell visit of Lord Stratford de Redcliffe to the late Sultan. On the 6th of October 1858 Lord Stratford wrote to the Earl of Malmesbury to say that he had had an interview and a conversation with the then Sultan. He said—

> "I submitted that little had been done in execution of the Hatti-Humayoun since its promulgation two years and a half ago; that a feeling of disappointment, and almost of despair, was on that account spreading throughout Europe; that the proofs of it were to be found not only in the remarks of private individuals and of public men in high stations, but in the Continental press—in that of France particularly — and of late, to a certain extent, in the leading journals of England; that the necessity of a comprehensive reform having been recognised by the Ottoman Government, and corresponding measures proclaimed by His Majesty, it was most desirable to pass without any unnecessary delay from the old to the new system."

Lord Stratford added that the Sultan listened to him with an attitude of reserve, and, on being pressed, said that he was an honest man and that what he declared he meant. As to the honesty of his professions, it appeared that he set to work immediately afterwards to build two palaces, and that in six months previous to Lord Stratford's visit the debts incurred on the civil list amounted to no less a sum than £3,000,000 sterling. Lord Stratford was one of the most able and determined diplomatists England ever had. His mission and incessant endeavours were to improve the condition of Turkey; yet he summed up the condition of Turkey in 1858 in a passage which he would read to the House; and a most memorable summing up it was. Lord Stratford had been continually urging the Porte for many years to carry out reforms in its administration; and when he took leave of Turkey, this was his statement—

> "Abuses continue to swarm in every department. The prohibition of bribery and corruption is merely on paper; no public example has yet been made of any public functionary accused of these offences. Some charges have been submitted to an inquiry leading to no result. Though mixed tribunals have been established partially, the judicial procedure is still defective and the course of justice impure. The new codes of law which are said to be in progress, have yet to come into practice. Commissions have been formed for the amendment of prisons and a better organization of the post office and police; but no improvement of consequence has hitherto resulted practically from their labours. The fiscal department is quite as irregular and defective as ever.

The great Elchi passed away, and Sir Henry Bulwer took his place. Sir Henry Bulwer, when he went to Constantinople, saw everything in *couleur de rose*, and declared that things were not half so bad as people imagined. The army was good and the navy tolerable, and he then proceeded to say—

> "Life and property, which were formerly at the mercy not only of the Sultan, but of every Minister and Pasha, are now, on the whole, secure against any act of vengeance, illegality, and oppression, that is not sanctioned by a tribunal and the forms of law."

It unfortunately happened that this statement was contradicted by every one of our Consular Reports; but he would read to the House a commentary by Earl Russell, written a year after this flourishing description by Sir Henry Bulwer. On the 25th of August 1860 Earl Russell, in a spirit of horror and indignation at the atrocities committed in Syria, wrote a despatch to Sir Henry Bulwer, in which the following passage occurred:—

> "It was with a shock of amazement as well as of horror that the intelligence of the massacres of Hasbeya, Zahlé, Deir-el-Kamar, and Damascus, was received in Great Britain. It was not that a barbarous Mohammedan or Pagan tribe had murdered by wholesale other tribes with which they were at enmity—it was not the utter inhumanity which marked and deepened the shade of these murders—it was that Turkish Pashas and Beys, chosen by the Sultan to govern and protect his subjects, were evidently abettors and favourers of

these massacres. Among these, Kurschid Pasha was one of the most prominent. The troops commanded by him either looked on in apathy, or actually participated in the worst of these massacres."

Fuad Pasha, whom some persons regarded as the prop and column of the Turkish Empire, and who was sent to Syria, proposed to leave this man in the administration of the Government; and it was not till a British Admiral interfered, that he consented to deprive the Pasha of his authority. Earl Russell went on to say—

> "Achmet Pasha, at Damascus, gave full sway to the dissolute mob which murdered and plundered Christians. Othman Bey, at Deir-el-Kamar, did still worse; he disarmed the Christians, and then admitted their murderers to slay the unarmed multitude. When the news of these events, even in imperfect reports, reached this country, men naturally said, 'The blood and treasure of Great Britain and France were poured out freely to maintain the independence of the Sultan. They asked no territory, no exclusive privileges in return; they asked only that the Christian subjects of the Porte might be treated with humanity, to the great advantage of the Sultan himself. An outbreak of fanatical Mohammedans we could well understand. But this treachery, brutality, and cruelty, on the part of those selected by the Sultan himself to govern his best provinces shows either some deep design to exterminate the Christians, or an unheard-of degree of weakness and apathy at Constantinople, or an amount of venality and corruption which it is difficult to credit.' You must not be surprised that such feelings should be excited and such reflections made; nor would it be of any use to conceal from the Porte that either the whole system of the Ottoman Government must be replaced by one founded on integrity and justice, or the Sultan must prepare himself for the abandonment of his cause by his best and most persevering allies."

No words so strong or so damning should be used by him (Mr. Gregory) as were to be found in this despatch from the Secretary of State for Foreign Affairs to Her Majesty's Ambassador at Constantinople. Sir Henry Bulwer wishes to acquit the central authority of any sympathy with such enormities. But why was not Kurschid Pasha punished? At this moment, as the *Times*' correspondent informs you, he, though nominally banished to Rhodes, is the great man of the island, the fountain of all honour and advancement. Tahir Pasha, another of the most guilty actors in the Syrian massacres, now enjoys his palace and every luxury at Beyrout, and Namik Pasha, of Jiddah massacre notoriety, was made Seraskier, or Minister at War, of the present Sultan, and has since (if he is rightly informed) been appointed to the Government of the great Pashalik of Bagdad. It was to be remarked throughout these despatches of Sir Henry Bulwer, that although they began hopefully, a gradual despondency seemed to be coming over his mind. He appeared to give up the thing as a bad job, and not to be able to see a ray of light in regard to the future of Turkey. In the bitterness of his heart he said—

> "The period has arrived when even the friends of the Turkish Government cannot merely be just, for the present abuses, which it may be fair to admit are the consequences of preceding evils, must nevertheless be now either immediately removed or greatly modified, as the only condition on which the sovereignty of the Sultan can be much longer exercised."

He would not trouble the House with any more extracts from Sir Henry Bulwer, but there was one point on which he wished to call particular attention. In 1860 Prince Gortschakoff issued a circular to the diplomatic agents of Russia, complaining of the horrible maladministration of the Turkish Empire, and in particular of the cruelties inflicted on the Christians. When that circular was issued, it became necessary, of course, for England, in her character of patron and protector, to contradict the statements of the Russian Minister. Whereupon Sir Henry Bulwer issued a circular containing twenty-four questions upon the state of Turkey to all our foreign Consuls. Now, if Sir Henry Bulwer had been desirous of ascertaining the exact and literal truth whether the statements of Prince Gortschakoff were correct or not, he would have written to the Consuls to give a plain and candid answer to the questions. But he did nothing of the kind. Sir Henry Bulwer took up his pen and drew up a paper which was neither more nor less than a brief for the Government of Turkey. He says—

> "It seems to me, indeed, that more evil arises at present from the want of power and authority somewhere, than from the actual abuse of power and authority anywhere. I have also been made acquainted, through the channel of our consular agents, as well as by other means, that great efforts have of late been made by persons of various kinds, not identified with or belonging to the native population, to get up discontent among the population, and to excite them to make complaints that may reach the ear of the European Powers, and that in this way the Sclave population has been especially brought to imagine that it may obtain, through foreign protection, great advantages, and even arrive at an independent existence. I have likewise been informed that a conspiracy among the Sclavonic race, with the object of making a revolution in this empire, actually exists, with chiefs selected, and plans more or less defined; and that though such conspiracy may not at this moment be formidable, its

leaders imagine it may become so by exciting the sympathies of the Great Western and Northern States. . . . . Her Majesty's Government wishes also, as you well know, to maintain the Ottoman Empire, which, in its fall, would produce a general disorganization in the East, accompanied probably, by a war throughout the world, the whole producing a series of disasters which would certainly not benefit any class in Turkey, and would be likely to cause great calamities to mankind."

Well, having blown the trumpet in that way, he sent out his circular of questions on the state of Turkey. He (Mr. Gregory) could perfectly conceive the faces of those unfortunate Consuls—he could understand their feelings, when they struggled to write in conformity with the wishes of their chief. On the one hand, they were called upon to be very careful in regard to their answers for fear of saying anything which might offend the preconceived opinions of him who was the fountain of honour and advancement. On the other hand, they had to respect conscience and humanity; and he was bound to say that with one exception they had shown themselves honourable men, and had revealed a lamentable state of violence, corruption, oppression, intrigue, misery, and disorder. It was true, when they told of some atrocities, they immediately proceeded to say there were some excuses for them—if these things had occurred, still they were not quite so bad as they might have been. But seeing that those men were most of them struggling against an influence which they could not resist, he could not but give them credit for what they had said. But there was one signal instance which would show the value of those documents which were presented to Parliament. Consul Skene, of Aleppo, wrote two reports diametrically contradicting one another. In the one everything was represented as going on in the best possible way, in the other everything was exactly the reverse. In his first report he describes the country as laid waste by the incursions of the Bedouins, and the extortion of the farmers of the revenue, who are generally members of the local council. He says—

"The cultivator's grain is threshed and ready for sale, but he must not move it until the tithe is taken by the farmer. Prices are falling in the market with the daily increasing abundance. He implores permission to sell, and receives it only on consenting to double or treble the tax. In lieu of 10 per cent there are instances of 40 per cent being thus wrung from him, when the want of the necessaries of life for his family prevents his waiting longer. The peasant is next forced to convey the collector's share to town without remuneration, to feed his numerous satellites, to bring him presents of poultry, lambs, and forage, which latter produce is not tithed. He has no means of redress, for the voice of the all-powerful council drowns every complaint. The Pasha is appealed to, and shrugs his shoulders. In the towns, until quite lately, trade and manufactures were in a flourishing state. Want of confidence in the future is withdrawing capital from circulation, trade stagnates, and one-half of the looms previously worked are now at rest. The Christians are in a state of abject terror. They dare not acquire landed property for fear of unfair treatment."

Of the Mussulmans he says—

"It is in vain that one talks to them of the altered circumstances of Islam, which are incredible to them. Vegetating in their narrow circle of contemptuous exclusiveness, they are animated only by personal and party rivalries. Their religion of pride cannot admit that a religion of humility is compatible with power abroad or prosperity at home. What they hear of Christendom is therefore regarded by them as an idle tale."

Of the local councils, or Medjis, he thus speaks—

"Composed of cruel, venal, and rapacious accomplices, the Medji oppresses the people and enriches itself, while Pashas are powerless, when willing to cope with its collusive chicanery. I have followed the same familiar phases of provincial government with unvarying issue in Bosnia, Bulgaria, and Roumelia, in Asia Minor and Syria, and I have thus been forced into strong convictions on the subject, which I hope to be held excused for thus expressing freely."

But, in his second despatch, when Consul Skene had received the circular of the 20th of August, he says—

"Whatever may be the condition of the provinces of Bulgaria, Bosnia, and Herzegovine, it is certain that in Northern Syria the almost total absence of crime of any kind is one of the most remarkable features of the country, and is not equalled in any part of Europe. There have been, no doubt, conflicts between sects, such as the massacre of the Christians at Aleppo in 1850, and those of Lebanon and Damascus this summer, but no impartial and dispassionate observer can class such incidents as inherent parts of the existing state of society."

That was the way in which Mr. Consul Skene spoke of a massacre in which 8,000 people were killed—

"They prove that a change is taking root in favour of the Christians, and not merely that they are oppressed by the Turks. Religious tolerance is professed by the Government authorities in this province, and there is no practical violation of the principle of any importance. It has even been evinced recently in a very striking manner by the Ulema; Mussulmans insulting Christians in the streets having been severely rebuked by them, and some of the most revered Imaums having publicly in the mosques preached the equality before God of all mankind, as proved by quotations from the Koran. Your Excellency expresses the belief that it is an exaggeration to contend that things are in a much worse state than, under the circumstances, might be expected. This view of the case is fully corroborated by my experience during many years passed in the provinces of both European and Asiatic Turkey, as well as at Constantinople."

Now, would the House like to know the meaning of that extraordinary conversion on Consul Skene's part? It was this, as explained by himself—

"On the 4th of August I had the honour of forwarding my replies to the queries contained in your Excellency's circular of June 11, which had reached me only a few days previously, and yesterday I received the other circular bearing the same date. I thus furnished what information I could without being aware of the motives dictating the questions, and without being in possession of the valuable instructions conveyed by the other circular. I shall therefore endeavour now to supply the deficiencies of my replies."

Well, that conduct of Consul Skene's would be ludicrous were it not that one's sense of the ludicrous was overpowered by feelings of indignation, that a great and kindly nation like England should be befooled and misled by documents such as those.

In 1856, a firman was issued, embodying the principles upon which the Turkish Government was thenceforth to be carried on; and on the faith of that firman the European Powers guaranteed the indemnity of Turkey. It would be said that that firman was in existence only seven years, and consequently too much was not to be expected. But that firman was identical with the edict of Gulhanè in 1839, and Tanzimat in 1845. The Turks had had therefore, for twenty-four years, every opportunity of amelioration; and what had been the result? The firman delared the equality before the law of the Christians and the Mussulmans; that Christian evidence should be received; that Christians should be allowed to hold property; that the collection of the revenue should be reformed; that roads should be made, and a proper system of police established. But ten of the twelve consuls report that Christian evidence is not received; many of them state that a Christian dare not hold land; all state the collection of the revenue to be unjust, oppressive, ruinous; those who refer to the matter at all declare that nothing whatever has been done to make roads, and that the police are the terror rather than the protection of the district they watch over. But what is more important than all is this, that the universal testimony of these Consuls goes to this, that all prospect of the revival of the East by commerce, manufactures, and education is to be looked for in the Christian element, and in it only. Mr. Abbott, the Consul of Monastar, tells us—

"The Christian members of the local council dare not dissent from an opinion emitted by the Mussulman members. One Christian member of the Council at Monastar was poisoned for opposing his Mussulman colleagues. The peasantry are reduced to the greatest pressure, in having to pay thrice or four times what is legally due to the farmers of the revenue. A Christian never dares to present in a suit one of his co-religionists to give evidence. It is the custom of unprincipled litigants to produce Mussulman false witnesses, whose testimony annuls the validity of a document made in a public office. This illegal mode is often adopted to dispossess a rightful owner of his property. They (the Turks) willingly make converts either by compulsion or intimidation."

Consul Calvert, of Salonica, reported—

"It is unfortunately the fact that during several centuries the Christians have been sorely oppressed. As their moral degradation has, during this long period of oppression, become hereditary, so their elevation to a higher standard of social and political worth will only be attained progressively after the removal of the oppression. At the capital all the resources of the State are collected, and there lavishly expended. One-half of what is usually thrown away would, within the last twenty years, have sufficed to make good roads throughout this province. The State appears not to care how its revenues are raised, provided it receives them. By a late decree the Christian population was called on to furnish statements of the contributions arbitrarily levied on them, with the ostensible object of remedying the injustice. When this was done, the Government forthwith assessed them at the full amount of these exactions, on the presumption, that having paid them once, they were able to do so again. They pay that amount at this moment. Many of the Christian families have been reduced into a state of serfdom to their Mussulman landlords."

He describes the bribery of the cadis or judges, as infamous and unblushing. They hold their office but for one year, and the most important judgments affecting landed property are delivered by them during the last days of their office, influenced solely by bribes. "I am inclined to confess," he says, "that the people do not appear to have any confidence in their Government." Consul Longworth's testimony was curious. He did not answer any question, but he said he had just seen the Grand Vizier, and had asked him if those stories of the oppressions of the Christians were true. The Grand Vizier assured him "that not a single case of oppression experienced by Christians at the hands of Turks had been brought to his notice." As to the charge of Cadis or Mohammedan judges acting arbitrarily or unfairly, "proofs of such arbitrary conduct, though challenged and sought for by the Grand Vizier, were wholly wanting." But Consul Longworth said he remembered once to have heard something of the kind complained of in Crete. Now, let them consider what was the value to be attached to Consul Longworth's testimony. Consul Calvert, writing of the Grand Vizier's proceedings at Monastar, let them into the secret. He stated—

> "The conduct of no public functionary at this place has undergone investigation. It seems to have been expected, that with the view to encourage complaints to come forward, the Grand Vizier would have placed at least one of the notoriously delinquent officials under arrest. There can be no doubt, that had his Highness thought fit to resort to such an expedient as this, the example would have inspired with confidence those who now refrain from laying informations against high-placed and influential parties here."

Consul Longworth, forgetting, however, what his friend the Grand Vizier had told him, that no case of oppression on the part of the Turks towards the Christians had ever taken place, complained of an abuse —namely the abduction of Christian girls by Mohammedans, which he admitted called for correction; and he also said that the Christian testimony was not admitted before the tribunals, and the result of this was, that "as the only means of securing justice to Christians, Mussulman false witnesses were permitted to give evidence on their behalf." Major Cox, Consul at Bucharest, writing of the condition of Bulgaria, stated—

> "That the evidence even of the wealthiest and most intelligent Christian in Bulgaria will be rejected, when that of a gipsy will be taken; that there is nothing the police cannot do with impunity in the villages; that the women will not offer any resistance to a Mohammedan; that the peasant goes to sleep in the stable, and leaves the Mussulman guest to do as he pleases with his wife and daughter."

Let the House recollect that Major Cox was writing of the very province of which Mr. Longworth gave such a flourishing account. Was it wonderful, therefore, that those conspiracies had taken place? Does it require the emissaries from Servia, of whom Sir Henry Bulwer is in such dread, to produce revolt, while such is the oppression under which these people are laid low? Consul Finn, of Jerusalem, began his report thus—

> "In point of regular orderly government and development of resources this province is far behind most, if not all, European countries, and, as far as I can learn, behind Egypt. Oppression against Christians usually begins with the fanatic populace, but it is neither repressed nor punished by the Government — a remarkable instance of which is presented in our Nablous case of April 1856. There was another case in Gaza in 1856. But Sureya Pasha showed a disposition to depress Christians on his first arrival; for instance, in imprisonment of the Coptic priest and deacon in the common prison. The popular fanaticism never breaks out until the fanatical tendency of the governor is visible."

Consul Blunt, of Smyrna, gave in his report a remarkable description of the decay of the Turkish race. That gentleman stated that in 1830 the Turkish population in that district was 80,000, and it was now 41,000. In 1830 the Greeks numbered 20,000, and they were now 75,000; and he mentioned that rapid as was the increase of the Greek population, the decrease of the Turks was in a greater ratio. Consul Blunt described the Christians as improving rapidly in intelligence and wealth, buying out the thriftless and improvident Turks; but still, he said, they were not allowed to carry arms, in consequence of which, from the want of efficient police, they were exposed to the attacks of brigands; their evidence was not admitted between Mussulman and non-Mussulman, and they were grievously oppressed by the exactions of the farmer of the revenue, who committed incredible abuses. Consul Blunt made some very true observations as to the tyranny of the Greek clergy, which were confirmed by Consul Calvert in the following terms:—

> "A vast deal of discontent among the Christians arises from the petty exactions and tyranny of their own ecclesiastics, who exercise an almost unbounded authority, recognised by the Porte, over them. Here, as everywhere else in Turkey, every sort of injustice, malversation, bribery, and corruption is openly attributed to their clergy by the Christians."

But why was this? Because the Greek bishoprics were bought and sold at Constantinople. The Patriarch appointed the person he was told to appoint, no matter how ignorant that man might be, no matter how tainted his character. If he could pay the money, he was consecrated bishop. The consequence was, that these ecclesiastics were the scourge and terror of their flocks; and being supported by the Government, they bore down all resistance. But such was not the case in Servia and in Greece. Nor would this oppression continue one moment, if these Christian nationalities could achieve even the rudiments of self-government. The consular reports show how entirely promises contained in the Imperial firman had been disregarded. The Vice Consul Zohrab, writing from Bosnia Serai, mentioned that in Bosnia and the Herzegovina the Mohammedan population was 400,000, and the Christian population 710,000. Of this Christian majority the Vice Consul wrote—

> "The hatred of the Christians towards the Bosniak Mussulmans is intense. During a period of nearly 300 years they were subjected to much oppression and cruelty. For them no other law but the caprice of their masters existed. In the belief that the direct administration of the Porte would materially ameliorate their position, they were induced, in 1850, to lend a hearty assistance to Omer Pasha; and to their aid must be attributed the rapid success of the Turkish arms. Their hopes were disappointed. That they were benefited by the change there can be no doubt, but the extent did not nearly come up to their expectation. They saw, with delight, the extinction of the Spahi privileges, and of the *corvée;* but the imposition of new and heavy taxes, the gross peculation of the *employés* sent from Constantinople, and the demands of the army, filled them with disappointment and dismay; and with these causes of complaint their previous servile condition was almost forgotten. Their hopes had been raised high to be cruelly disappointed; their pecuniary position was aggravated, while their social position was but slightly improved. A humiliation they experienced at this time at the hands of Omer Pasha disappointed them greatly, and impressed them with the hopelessness of expecting real benefits from the Turks—they were disarmed, while the Mussulmans who had opposed the Government were permitted to retain their arms. False imprisonments are of daily occurrence. A Christian has but a small chance of exculpating himself when his opponent is a Mussulman. Christian evidence, as a rule, is still refused. Christians are permitted by law to possess landed property, but the difficulties opposed to their acquiring are so great that few have as yet dared to face them. As far as the mere purchase goes no difficulties are made; a Christian can buy and take possession; it is when he has got his land into order, or when the Mussulman who has sold has overcome the pecuniary difficulties which compelled him to sell, that the Christian feels the helplessness of his position and the insincerity of the Government. Under one or other plea the Christian is in nineteen cases out of twenty dispossessed, and he may then deem himself fortunate if he gets back the price he gave. Few, a very few, have been able to obtain justice; but I must say that the majority of these owe their good fortune not to the justice of their cause, but to the influence of some powerful Mussulman. Is it surprising that the Christians should think, at length, of the only remedy apparently left to them—an appeal to arms? They see the success which has attended such efforts in Servia, Greece, &c., and they naturally suppose that a like attempt will produce a similar result. Thus I do not hesitate to say that Bosnia and the Herzegovina, which ought to have been now prosperous, contented, and peaceful, have been turned into discontented, disloyal, poverty-stricken provinces, through the unworthiness of the Sultan's lieutenants, and the gross misconduct of inferior *employés.*"

Consul Abbott, of the Dardanelles, gave similar testimony. As to any hope of improvement from the spread of education, he said—

> "The ignorance of the Mussulmans on all educational matters is notorious; indeed, they delude themselves with the idea that they are so infinitely superior to the conquered races that it would be derogatory in them to improve their minds in the same way as the Christians do. The rayahs have begun of late years to understand the immense importance of education and the great advantages to be derived from it, and they demonstrate a most praiseworthy desire for acquiring knowledge and for having their children properly educated. The utmost that a Turk will attempt is to follow the old beaten track of his ancestors in merely learning to read the Koran and to write sufficiently well to be able to compose a letter with tolerable correctness and elegance. The Turkish *khoja,* or schoolmaster, is totally ignorant of geography, general history, natural science, and modern languages; indeed, the Turks deem such knowledge to be quite useless."

Now, what he had been telling the House were no mere gossiping stories, no random travellers' tales, but the deliberate statements of our own officials. He could almost fancy Sir Henry Bulwer, when he read these despatches from which he had quoted, exclaiming, "Lo, I told you to bless the Turk, and you have cursed him altogether." He had shown that there was no hope of improvement from education. The Turk ignored and despised education. Whatever education was to be found in that country had been derived from foreign sources, and even then it was a varnish which hardly concealed the original pinchbeck underneath. It was also noticeable, that while foreign education was generally accompanied with more or less scepticism, the old ingrained fanaticism would still be found remaining when there was any occasion to call it forth. The old Turk died as he had lived—hoping everything—believing everything—and fearing nothing. Young Turkey dies as it has lived—hoping nothing and believing nothing. For centuries the Turks had been masters of that part of Europe and Asia which produced the greatest poets, the greatest historians, the greatest architects, the greatest philosophers. Have the Turks ever allowed the spirit of the conquered so to interpenetrate them as to produce one single writer whose name we can remember? They have hardly even now, in the nineteenth century, a printing press or a newspaper. What could be expected from a country which was destitute of a system of jurisprudence, and which had not learnt to discriminate the rule of religion from the rule of law? There was no doubt a sort of code in Turkey; but it was altogether imperfect. Instead of civilization expanding the law, the law impedes and fetters civilization. Among the lower classes of the people one might, perhaps, discern frugality, bravery, and generosity; but whenever a Turk emerged from that rank, he lost those qualities. There was no middle class, in our conception of the term. The Turks spoke no foreign language, and engaged in no commercial enterprises beyond the seas. There were no great Turkish bankers, no great Turkish houses of business, no Turkish manufactures. All these affairs were in the hands of the Christians. The old aristocracy, who were bad enough without doubt, were gone, and had been succeeded by a bureaucracy infinitely worse. If the men who governed the provinces were possessed of talent, energy, and honour, there might be some hope; but those were not the characteristics by which men acquired high offices in Turkey. There the sources of honour were bribery and corruption, and things at which he scarcely dared to hint. He would try and lay down before the House an illustration of what Turkish Government is, and what Turkish rulers are. If one could suppose the foreign dependencies of England peopled by inhabitants as submissive as the natives of Lower Bengal, who had lost all spirit, self-confidence, and independence during long years of oppression, and if one could conceive further that the keepers of the worst houses in the purlieus of the Haymarket were gathered together, and sent to rule these dependencies, stimulated only by a desire to gratify their basest passions and to accumulate wealth, then one would have a parallel to the Government of the Turkish provinces. The result was, as one might expect, that all life and hope were trampled out of the people, and that civilization was destroyed by the parasitical race that destroyed all it clung to. Any one who had been in Asia Minor must recollect journeying over desolate tracts of country, where once stood populous and flourishing cities, and where now not a single cultivated field was to be seen. The irruptions of foreign barbarians had in some degree tended to produce that result, but there was still life left until the Turks came and crushed it out. In his *Turkish Diary* Mr. Senior said—

> "The Turks are not worse than they were—they imported with them every one of their bad qualities. When they seized Asia Minor and Roumelia, they seized a country populous and of enormous wealth; for 350 years they have been consuming that wealth and wearing out that population. At last, having lived for 350 years on this capital, they have reduced the country to a desert, and they find themselves poor. They use the most mischievous means to prevent large families—they kill the female children, the conscription kills the male. What was fifty years ago a populous Turkish village is now a burial ground and unused. The Turk relies on the rain to wash his streets, on dogs to keep them free from offal, on the sun for making passable those tracks which he calls roads, and on the climate for enabling him to live in his timber house without repairing it. He would rather copy than invent, rather attribute events to destiny than to causes which can be explained. His only diplomacy is war, his only internal means of government are poison and the stick."

Now, who was the great apologist and supporter, the *grande decus columenque*, of this state of things? It was no other than the Under Secretary for Foreign Affairs. Yet it was not long since that he read in an interesting work the following passage with reference to a Christian community in Asia:—

> "The Nestorian community had greater wrongs to complain of than their Patriarch. The Turkish Governors, so far from fulfilling the pledges given to the British Embassy, had sent officers to the mountains who had grievously ill-treated and oppressed the Christian inhabitants. The taxes which the Porte had promised to remit for three years, in consideration of the losses sustained by the unfortunate Nestorians during the massacres, had not been, it is true, levied for that time, but had now been collected altogether, whole districts being thus reduced to the greatest misery and want. Every manner of cruelty and torture had been used to compel the suffering Christians to yield up the little property they had concealed from the rapacity of the Turkish authorities. There was no tribunal to which they could apply for redress. A deputation sent to the Pasha had been ill-treated, and some of its members were still in prison. There was no one in authority to plead for them. They had even suffered less under the sway of their old oppressors, for as a priest touchingly remarked to me, 'The Kurd took away our lives, but the Turks take away wherewith we have to live."

And these are the reflections of the writer—

> "Wherever the Osmanli has placed his foot he has bred fear and distrust. His visit has been one of oppression and rapine. The scarlet cap and the well-known garb of a Turkish irregular are the signals for a general panic. The women hide in the innermost recesses to save themselves from insult; the men slink into their houses, and offer a vain protest against the seizure of their property."

The name affixed to the book from which he had just quoted was "A. H. Layard." The assailant of Italian princes, the advocate of Italian independence, the denouncer of those who oppressed the ryots of Bengal, was the same man who now cast scorn and contumely on these unfortunate Christians

—who wished to do no more than the Italians were doing—and he would fain have England believe that a crushing, ignoble, and insolvent dynasty, the garotters of the East, for that was the best word for it, was mild, beneficent, and progressive, and a capital speculation to invest in. It was remarkable, that when a single province had escaped from the grasp of the Porte, it had always improved; and that whenever it again fell back under the Turkish dominion, it had immediately relapsed. This was the case when Albania was removed for a time from the Ottoman rule by the virtual independence of Ali Pasha, and when Syria was similarly relieved by Mehemet Ali. The policy he recommended was very simple—that we should cease to be the crutch on which Turkey leans; that our shield should not be ever thrown over all her misdemeanours; that she should be forced to carry out that reciprocal engagement she undertook in return for the guarantee of her integrity; that the moral weight of England should be employed to obtain for the Christian provinces of the Porte self-government as far as possible; that the centralizing system should be discouraged, and instead of fresh governors being sent out every two or three years to the provinces to make fortunes by plunder and corruption, that to the governors appointed notice should be given that their tenure of office depended on good behaviour, and that the succession might be extended to their descendants in reward of a wise and beneficent administration. This is French policy: this is the policy of MM. Thiers and Guizot: they professed equally with ourselves the desire to maintain the Sultan's integrity, but not by the misery and depression of his subjects. Above all things, he (Mr. Gregory) wished to see the Turkish Government warned that every massacre of Christians which it was too weak to prevent or too fanatical not to connive at, would be punished by loss of territory. Such a policy as this would be more logical, more consistent, more beneficent—in one word, more Christian, than that which we have hitherto pursued. He was sorry he should have trespassed at such length on the attention of the House, but he knew what he had said to be true; and knowing it to be true, it would have been connivance to have remained silent. He was convinced the time would come, and that ere long, when he should be justified for having protested against the continuance of a policy which rested only on expediency, and which, when that expediency no longer existed, became a scandal to England and a misfortune to the world.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Further Papers relating to the condition of Turkey,"

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. BAILLIE COCHRANE said, he thought the House would feel itself indebted to his hon. Friend for having brought that important question under its notice, not only on account of the events which had recently occurred in the Kingdom of Greece, but also on account of the conduct of Her Majesty's Government in connection with the proposed cession of the Ionian Islands. The fact of the cession of the Ionian Islands having been promised by the Government had naturally led to a great deal of excitement in the Christian provinces ruled by Turkey, because that cession could only have been promised on the principle laid down by Earl Russell in his famous despatch of October 17, 1861, that every people had a right to choose their own Government. It was only natural that an astute people like the Greeks should assume, as they had assumed—though they remembered how many Ionian annexationists were shot by order of Sir Henry Ward, and how the recall of Sir John Young was suggested by the Chancellor of the Exchequer, on account of his recommending the union of the Ionian Islands with Greece—that the object of Earl Russell in promising the cession was to strengthen the kingdom of Greece, and that the cession would be followed by fresh steps towards increasing their territory. In the Ionian Islands one-third of the people were Italians, whereas in Thessaly and Epirus seven-eighths were Greeks; and the plea for annexation was even stronger in the one case than in the other. He was glad that his hon. Friend had called their attention to the financial condition of Turkey, because that was a subject of great importance, especially at that moment, when it was proposed to raise another loan of

£8,000,000, upon the recommendation, if not the actual guarantee, of Her Majesty's Government. Ever since 1855 there had been a Turkish loan almost every year, and it could not be denied, as the hon. Member for Buckingham (Mr. Hubbard) showed last Session, that to our Government it was owing that the Turkish proposals had been accepted with such facility in this country. The time had arrived when they ought to distinctly understand what was the real state of the Turkish finances, and he was prepared to prove that the statements made by Lord Hobart and Mr. Foster were perfectly erroneous. In the Report of 1861, Lord Hobart stated that the revenue of Turkey was £9,700,000, and the expenditure £11,000,000, and he added that the civil list of the Sultan, amounting to something more than £1,200,000—which sum, however large, did not include the whole of the allowance for the Imperial establishment—was an item of expenditure with which there was considerable difficulty in dealing; for whatever sum was set down in the Budget, it rested with the Sultan to restrain his expenses within the limits prescribed. Lord Hobart and Mr. Foster put the whole debt at £41,000,000, but in point of fact it was £50,000,000. He held in his hand an extraordinary statement, taken from the latest published Turkish accounts—those issued in June 1859 — and would the House believe that the personal expenditure of the Sultan—not his civil list, which appeared as a separate item of about £1,200,000—amounted to no less a sum than £9,600,000, nearly equal to the whole revenue of Turkey. Some of the details were curious and interesting. The kitchen department—*frais de cuisine*—was put down at £24,000 a month. £70,000 per month appeared as the allowance for the thirty-six wives of the Sultan. The expenses of the other ladies connected with the Imperial establishment, of whom there were 1,780, amounted to £18,000 a month. Nearly an equal sum—£15,000—was put down for 2,000 porters, attendants, and servants of various kinds. Those peculiar gentlemen who generally started up when the ladies of the harem took their midday walk cost £7,000 a month. The pensions allowed to those ladies who had left the seraglio amounted to £80,000 per month. With regard to the Sultan's expenditure, he would quote an authority which the hon. Gentleman the Under Secretary would hardly dispute. Lord Stratford de Redcliffe, writing to Lord Malmesbury on the 6th of October 1858, said—

> "The Sultan assented to these suggestions for a reform; and, judging from his manner and countenance, I feel a strong persuasion that he is deeply grieved by the extravagance which has been disclosed, and sincerely inclined to regulate the Imperial establishment for the future on sounder principles. But the difficulty of realizing his intentions cannot be concealed. The discipline of the harem has been so much relaxed since the death of the Sultan's mother, and the number of its inmates has reached so extraordinary a figure, that no light task devolves upon the superintendent. One of the Turkish Ministers informed me that in six months the debts incurred on the Civil List had amounted to no less a sum than £3,000,000 sterling."

That was Lord Stratford de Redcliffe's statement, showing that the Sultan's personal expenditure absolutely amounted to the whole revenue of the country. And while the Sultan incurred that enormous expenditure, the departments were governed under the extortionate and tyrannical system which the hon. Member for Galway (Mr. Gregory) had so well described. The hon. Gentleman the Under Secretary had fallen into error with regard to the amount of the Greek population; whereas his hon. Friend put that population at 2,000,000, in point of fact it was 6,000,000. But, in truth, the Turkish Empire had no real existence at all, and was only supported by the sheer energy and strong will of the Great Powers. The various provinces were like marbles thrown into a bag—they touched but did not adhere to each other. The tyranny exercised in them was not violent and sudden, but acted like a screw which was always pressing the people down. At Constantinople, Russia, France, and England constantly struggled for pre-eminence. He had no wish to see the Turkish Government broken up and the Ottoman empire destroyed. God knew they had spent millions of money, and lavished thousands of lives, in upholding that Government; but they had a right to demand that the pledges which it had taken towards its Christian subjects in 1856 should be carried out. If those pledges had been fulfilled, not only would the Christian population have been benefited, but Turkey would have become more prosperous. Let the House not be misled by the general impression conveyed to it from time to time by the hon. Under Secretary. That hon. Gentleman, when he rose to reply, would say that these things had been exaggerated. Well, but what was the opinion of Earl Russell himself upon the state of Turkey? Writing to Sir Henry Bulwer on August 25th, 1860, Earl Russell said—

> "The blood and treasure of Great Britain and France were poured out freely to maintain the independence of the Sultan. They asked no territory, no exclusive privileges in return; they asked only that the Christian subjects of the Porte might be treated with humanity, to the great advantage of the Sultan himself. An outbreak of fanatical Mohammedans we could well understand; but this treachery, brutality, and cruelty, on the part of persons selected by the Sultan himself to govern his best provinces, shows either some deep design to exterminate the Christians, or an unheard-of degree of weakness and apathy at Constantinople, or an amount of venalty and corruption which it is difficult to credit. You must not be surprised that such feelings should be excited and such reflections made; nor would it be of any use to conceal from the Porte that either the whole system of Ottoman government must be replaced by one founded on integrity and justice, or the Sultan must prepare himself for the abandonment of his cause by his best and most persevering allies."

Surely, then, he was entitled to urge the necessity of pressing upon the Ottoman Government the duty of fulfilling its pledges towards its Christian subjects; and he would, in the first place, recommend Her Majesty's Government to desist from that intervention in the affairs of Turkey, which, instead of strengthening, positively weakened her. His hon. Friend the Under Secretary would probably say that all these abuses existed under the former Sultan, but not under the present. On that point let him listen to an extract from *The Times* correspondent at Constantinople, who always gave very fair accounts and very good information. *The Times* correspondent, on the 7th of April last, wrote—

> "After a dynasty of reforming monarchs, Turkey has at last got a chief of more antique mould, who seems very likely to arrest the movement that is so fast dis-orientalizing the East; meanwhile, the Turks, compelled from their distrust of Christians to perform alone the military duty of the whole empire, are wasting away under the intolerable burden. The curse of barrenness is upon them, and all the efforts to support this barbaric empire against external aggression and internal decay seem likely ultimately to be baffled by the disappearance of the race on whose behalf they are undertaken."

That was written by a close and accurate observer, resident in Turkey. For himself he desired to see that Government strengthened, if it were conducted on principles of justice towards the Christian population. If he had any influence with the people of Greece, he would urge them to abstain from any views of ambition and territorial extension in Turkey. They had quite enough to do within their own borders. But nobody could tell what the future might bring forth, and therefore it was impossible to say what destinies might yet be in store for Greece. The hon. Member for Halifax (Mr. Stansfeld) had described the Eastern question as the great European question of the day, and spoke of England being bound to decaying Turkey by intolerable bonds. But if Turkey fell to pieces, the kingdom of Greece and the other adjacent nationalities might be certain that that country would be best fitted to fill the place which Turkey had occupied which should have shown the greatest amount of civilization, the greatest powers of Government, and the greatest moral influence.

An hon. GENTLEMAN moved, that the House be counted; but notice having been taken that forty Members were present,

MR. GRANT DUFF: Sir, in the very few remarks which I propose to make this evening, I intend to confine myself entirely to that one of the provinces, alluded to in the speech of the hon. Member for Galway, which I have chanced to visit—I mean the Principality of Servia. It does not appear to me that very much turns upon the question as to how far the Servians were, or were not, the beginners of the affray which led to the bombardment of last summer. It is sufficient for my purpose if it is admitted that the bad feeling between the Servians and the Turks is continually increasing, and that it has been intensified, as well by the recent events as by the national movement which recalled the family of Obrenovitch to the throne. For, Sir, if this be the case, no one will dispute that an end should be put to this bad feeling, if this can be done without making any concessions which should be unjust to Turkey, or otherwise injurious. The question is, can such concessions be made without being unjust to Turkey, or doing other mischief? I think they can. All that the Servians ask is, that the Turks should retire from the Servian fortresses. Let us see what case they can make out in favour of the justice of this proposal. In 1830 the Porte gave a free constitution to the Servian people, and agreed, amongst other things, that all Turks within the Servian frontier should, if they wished to remain there, retire within the fortresses. The Porte, however, continually evaded the fulfilment of its obligation, and the summer of 1862 found a large Turkish population still dwelling in the very heart of the city of Belgrade. Then came the events of which we have heard in detail from the hon. Member for Galway. Now, what I want to know is, would it not have been more just, and more wise, for the British Government when the Conference assembled, to regulate the affairs of Servia, in consequence of the ferment caused by the bombardment, to have instructed its agents to have insisted, that as Turkey had not fulfilled her engagements, and had brought about so much mischief by not fulfilling them, she should be punished by being obliged to go a step further than she had engaged to do thirty-two years before, and should evacuate the Servian fortresses. Of what use are those fortresses to Turkey? They were useful once, as outposts against Christendom, but Turkish barbarism has ceased to be aggressive, and I presume that not even my hon. Friend the Under Secretary for Foreign Affairs can hope or wish to see the horse-tails once more amongst the vines of Buda. But are they perhaps useful for defence against Austria? No one who knows the relative position of Turkey and Austria could dream of such a thing. If any one does, let him descend the long line of the Save, and see how large a force Austria keeps even in time of peace upon her military frontier. He can then judge how many hours any one of these tumble-down fortresses could, with the exception of Belgrade, maintain itself against Austria; and Belgrade, hemmed in by a hostile population, would be no serious military obstacle. But it may be said that these fortresses, materially useless, are useful as a symbol of the power of the Suzerain. I answer, that this sentimental objection cannot outweigh the proved evil which arises from the existence in the Servian territory of a number of sanctuaries whose inmates are licensed to commit amongst the surrounding Christian population all those atrocities which are recorded in the statements which have been circulated amongst us within the last few weeks. But it may be said that this concession would diminish the prestige of Turkey. Sir, I think that that would be no loss, and that, thanks to the prestidigitation of the noble Lord the First Minister, Turkey has a great deal more prestige than she deserves. But we are told that the Servians are the vanguard of Russia; that they do not aspire to be an independent nation, but merely to form part of a great Pansclavic monarchy, I answer that it is very easy to say this, but where is the proof? Can those who bring forward this argument point to anything in their recent history which makes in that direction? One sees at Belgrade plain enough traces of French influence and German influence; but where are the traces of Russian influence? In their early struggles, the Servians looked to Russia, naturally enough; because when England was occupied with a great war, and before increased knowledge had given our people some interest in these distant regions, little sympathy could have been felt here for a people whose country was hardly more accessible, for all practical purposes, than Bokhara is now; but things are completely changed. A nation which is proud of its ultra-popular form of government can hardly have much sympathy with the system even of the Emperor Alexander II.; and if it is not to similar tendencies of government, but to ties of race, that we are to look—why, the Polish war is an excellent illustration of the way in which the Sclavonians 'love one another.' This question of the Servian fortresses is only one corner of the great Eastern Question, into which I do not mean to enter, further than to say that I am sure the Servians make a great, though a very natural mistake, in supposing that England is their enemy. They have one enemy in the Cabinet of England, but I should be surprised indeed to learn that the majority of the Cabinet were in their hearts opposed to them. There is one thing only in the Eastern policy of the noble Lord the Member for Tiverton which will be inherited by other English statesmen—the determination that Russia shall never hold Constantinople—a policy grounded not only upon the feelings of Englishmen, but upon the feelings of all the nations of the West; a policy well summed up in the words of a living poet—

> "Alas for you! alas for us!
>   Alas for men that think and feel,
> If once beside this Bosphorus
>   Shall stamp Sclavonia's frozen heel!"

Sir, I hope that Constantinople may never belong either to Russian Sclavonians or Servian Sclavonians; and the Servians, to do them justice, have no wish to have it. They are quite content that it should be, as it will, I hope, one day be, a free port under the protection and guarantee of all Europe and of the whole civilized world.

Mr. LAYARD: Sir, I entirely agree with my hon. Friend who has brought forward this Motion (Mr. Gregory) as to the vast importance of the subject which he has submitted to the consideration of the House. This so-called "Eastern Question" is undoubtedly one of the greatest problems that has ever been submitted to any generation of men. Its possible solution has engaged the earnest consideration of the ablest politicians. It has excited the deepest interest amongst statesmen of every nation. It does not, it would appear, excite a corresponding interest in this House. On a previous occasion my hon. Friend entered very fully upon the subject, I fear to an unwilling audience. On another occasion, when he was about to bring it on, it was not possible to collect a sufficient number of Members to form a House. But my hon. Friend's speech, like good wine, only improves, as we have seen to night, by the keeping. Notwithstanding all the speculations and theories that have been hazarded, and the confident assertion, so often made, that Turkey is on the very eve of falling to pieces, no living man has yet been able to give any satisfactory answer to the question of what is to become of the Ottoman Empire, or to propose any political combination which could replace it. My hon. Friend has not brought us nearer to a solution of the difficulty. He has no doubt made an admirable speech, characterized by his usual ability and research. But it was deficient in one, and not a very immaterial respect. My hon. Friend had nothing to propose; and when he sat down, he was at a loss to know what form of Motion to place, Sir, in your hands. This has been precisely the case with all those who have previously attempted to discuss this most difficult and perplexing question. I cannot, therefore, blame my hon. Friend. It is true that in the course of his speech he made certain suggestions on the policy which the Government ought to pursue in Turkey, especially with regard to the Christian subjects of the Sultan. I think I shall be able to show him that the policy he recommends is the very one which the Government has pursued. But he has made certain assertions which cannot be allowed to pass unchallenged. In justice to Her Majesty's Government, in justice to their Agents in Turkey, in vindication of their policy, in fairness to the Turkish Government, and in the cause of truth, these statements should not be allowed to go forth to the world uncontradicted.

The early part of my hon. Friend's speech was devoted to Servia. I shall therefore begin by commenting upon that part of it. If I am compelled to say hard things of the Servian Government, I regret it. I have been challenged by my hon. Friend, and he must be answerable for them. But I wish it to be clearly understood that I do not confound the Servian people with the Servian Government. Against the Servian people I have no complaint to make. My hon. Friend the Member for the Elgin Burghs (Mr. Grant-Duff) was not justified in asserting that the noble Lord at the head of the Government, or any other Member of the Government, is an enemy to the Servian people. I distinctly and positively deny that such is the case. My hon. Friend has no doubt obtained the information which he has given to the House from what he considers good and reliable sources. But I wish he would himself visit the countries whose condition he attempts to describe. I understand that he intends shortly to do so, in order to satisfy himself of the truth of what he has stated. The celebrated Bayle recorded in his journal the fact that he had on a certain day embraced the Roman Catholic religion; a subsequent entry stated that he had, on that day, commenced the study of logic. Gibbon observes that Bayle would have done more wisely to have reversed the process—to have commenced the study of logic first, and then to have satisfied himself as to the doctrines of the Roman Catholic Church. I would venture to address similar advice to my hon. Friend. Let him study the condition of the countries that he describes on the spot, and then let him speak with the confidence which such experience may entitle him to feel. But if my hon. Friend does visit those countries, I trust he will permit me to offer him some words of caution and advice. Let him go without any preconceived opinions, and a mind free from prejudice of any kind. Let him judge for himself, see with his own eyes, and hear with his own ears, and not see through the eyes and hear through the ears of that class of persons who beset the traveller in the East, and are always ready to take the utmost advantage of his ignorance or his credulity. Let him learn a little of the language of the people; and, above all things, let him implicitly believe, in the words of the inspired writer, "that all men are liars." Sir, I have said that in justice to the Turkish Government the statements made by my hon. Friend should be openly met and denied. Let us remember how differently the Turks are situated from the Servians. They have no clever and specious gentlemen moving in European society, cajoling Members of Parliament, endeavouring to influence the press, printing and largely distributing pamphlets of various descriptions, and by all these means, sometimes not very scrupulously pursued, seeking to enlist public opinion in their favour. They have too high a sense of their dignity to do such things. They have no newspapers; or if they have, they are written in a language which few in the rest of Europe can read. They are compelled to bear all the calumnies heaped upon them in silence, and with that resignation so becoming in a good Mohammedan, leaving their justification to time or fate, and relying upon the ultimate triumph of truth and justice. My hon. Friend has given to the House what he no doubt believes to be a true sketch of the history of Servia. But there is so much to add and so much to correct, that when that process is gone through, I fear little will be left of the original matter. I will endeavour to submit to the House what I believe to be a more accurate history of that country, founded, not upon mere assertion or hearsay, but upon official documents to which I shall refer for the statements that I may make.

It is well known that in the early part of this century the Christian population of Servia rose against their Mohammedan rulers, and that after a long and bloody struggle under the lead of a Servian hero, Czerny George, or Kara-George as he is usually called, achieved that semi-independent position which they now enjoy. At that time the power of the Sultan was very much weakened by external wars and internal disorganization. The Servians were assisted by the Russians, not materially — for, to their great credit, be it remembered that they fought unaided, and owe their liberty to their courage and determination alone — but by diplomatic interference and representations at the Porte. What the Servians had gained by their arms was confirmed and guaranteed to them by articles in the Treaties of Bucharest, Akerman, and Adrianople, concluded between Russia and Turkey at the end of wars and differences between these two countries. Little has been said during this discussion about these treaties; indeed, they have been passed over, I believe, in silence. And yet they — and not, as my hon. Friend would lead the House to believe, a certain Hatti-Sherif — proved the basis of of the liberties of the Servian people. My hon. Friend has, in very strong and, I think, unjustifiable language, denounced the Turkish Government for having violated treaties. I think I shall be able to prove, that so far from such having been the case, the Porte has faithfully fulfilled them. The Hatti-Sherifs which were subsequently issued by the Sultan were merely Imperial Rescripts carrying out the conditions and terms of the articles of the treaties I have mentioned. By the separate Act relating to Servia, annexed to the Treaty or Convention of Akerman of October 7, 1826, Mussulmans "other than those belonging to the garrisons" were prohibited "from establishing themselves in Servia." The greater part of the Turkish landowners had already been expelled. Many, however, still remained, naturally unwilling to give up their lands and property, to which they were entitled by ancient and hereditary rights. It was true that they had been promised compensation by the Servian Government if they could not dispose of their lands. As it will be seen hereafter, this was a very important condition, the non-fulfilment of which was subsequently one of the principal causes of misunderstanding between the Servian Government and the Porte. The Turkish Government now proceeded to carry out the provisions with regard to Servia contained in the treaties to which I have alluded. It is a remarkable fact, but one which I shall be able, I think, to prove to the House, that henceforth the Porte always appeared as the defender of the Servian people, maintaining their liberties and their privileges, and supporting them against arbitrary and despotic rulers. I must interrupt my narrative for a moment to remind the House, that although Kara-George was the acknowledged leader of the Servian people in their revolutionary war, and is always mentioned in their traditions and history as its hero, yet he did not become their Prince. It was Milosh who was first selected to govern the Principality of Servia. Kara-George was murdered; the family of Milosh probably best know at whose instigation. The first Hatti-Sherif determining and confirming the liberties of the Servians was issued in 1829. To that document my hon. Friend has made no allusion, although it is of no less importance than that of 1330, which Servian agents, for purposes of their own, would now make us believe is the one and only charter of their rights which binds the Turkish Government. This latter documeut, prepared in consultation with the Servian deputies at Constantinople, was drawn up in a fair and liberal spirit. It secured to the Servians the entire management and control of their own affairs. It provided an economical administration, well adapted to a simple and poor population, only emerging from almost complete barbarism. There is one clause in this Hatti-Sherif which so peculiarly illustrates the desire of the Porte to protect the Servian people against their rulers that it is worth quoting—

> "The Servian nation," it is declared, "shall pay to the said Prince the sum requisite for his maintenance and expenses, but this sum must not be an intolerable burden upon the poor."

It is not improbable that this restriction was but little palatable to the "said Prince," and that it was one of the causes of his hatred of the Turkish Government. Another article declares that the members of the Representative Council shall not be dismissed unless they have been guilty of grave offence to the Porte, and towards the laws and constitution of their country; thus protecting them against the arbitrary will of the Prince. This Hatti-Sherif further gave the Turkish population twelve months for the sale of their lands. It is important that the precise terms of the article upon this subject should be quoted, as they do not bear out the assertion of the Servians and of my hon. Friend, that all Turks, excepting the garrisons of certain fortresses, were compelled to leave Servia within one year. They are—

> "The Turks who possess landed estates or property in Servia, and who would be desirous to sell them and to quit that country, shall be allowed a period of twelve months to do so, to the Servians, at a reasonable price, which will be determined by Commissioners appointed for that purpose. But the revenues of the vineyards, gardens, estates, and lands belonging to Turks unwilling to sell them, and to break off their connections with the country, shall be valued at a reasonable price, and paid into the Treasury of Belgrade with the annual tribute, and the said Treasury will forward the money to the proper owners. No Turks, except those who garrison the fortresses, shall be allowed to inhabit Servia."

It was found impossible to carry out this arrangement with regard to land and property held by Turks without the most manifest injustice and wrong; accordingly, with the express consent of the Servians and of the Russian Government, who, be it remembered, had guaranteed the liberties and privileges of the Servians—a consent given through the Russian Embassy at Constantinople, and recorded in the Hatti-Sherif itself—the time for the sale of lands belonging to Mussulmans was enlarged to five years by an article in a fresh Hatti-Sherif, issued in December 1833. The following are the terms of the article:—

> "In the above-mentioned my last Imperial Firman, a period of twelve months was granted to the Turks living in the small towns about the fortresses (the city of Belgrade excepted) to sell with advantage their estates and to quit Servia; but as that time appears now insufficient for this purpose, and with the view of altering it and of enforcing it into a law, we have authorized the said Turks to stay five years longer in Servia, dating the term from the day of the issuing and promulgating the present Firman."

This was surely a reasonable concession to these unfortunate landholders, called upon thus suddenly to surrender the property so long held by their forefathers. That the orders of the Sultan were unfortunately not enforced, and the reason why they were not enforced we shall presently see.

It now rested with Prince Milosh to carry out the intentions of the Porte, and to give to the Servian people liberal institutions, and a constitution founded upon these Hatti-Sherifs. But Milosh was a cruel, rapacious, and despotic ruler. He was uneducated, and a semi-barbarian. His only object seemed to be to keep down the people and to make money. The Servians made repeated appeals to him for their promised constitution, but in vain. At length, fearing a popular outbreak and expulsion from Servia, which was imminent, he granted a constitution, but revoked it again within forty-eight hours. The Servians, driven to despair, appealed to the Porte to protect them, and to compel the Prince to grant them their liberties. They sent a deputation to Constantinople in 1838, who obtained from the Turkish Government, and returned to Servia with, a fresh Hatti-Sherif. If any Hatti-Sherif is to be considered "the charter" of the Servians, it is this one. It is termed "A Statute in the shape of a Firman, granted by His Highness the Sultan to the Inhabitants of the Province of Ser via," and is usually called the "Organic Statute." It fully confirms the entire freedom of the management of their affairs to the Servians; limits the annual revenue of the Prince to 4,000 purses (£20,000) a year; enjoins an economical administration; and directs that three functionaries shall be appointed Directors of Internal Affairs, of Justice, and of Finance. These officers are to be responsible to the Council for the management of the affairs intrusted to them, and may be called upon yearly for an account of their stewardship. The members of the Council cannot be removed at the pleasure of the Prince; they are to discuss the affairs of the nation, to settle the amount of taxes, to fix public salaries and emoluments, and to control expenditure. In fact, this National Council, to consist of seventeen members, Servians by birth, was to be a representative assembly of the Servian people. The constitution thus given, although it might not be considered perfect when judged by higher standards, was not ill-calculated for a semi-civilized people. It provided a cheap and economical administration, and secured to them the complete control of their own affairs. In addition to this Statute, a Firman was issued to the Pasha of Belgrade, directing him to summon a General Assembly of the nation to ratify the liberties thus granted to the Servians. Still Milosh persisted in his despotic course, and refused to fulfil the terms of the new constitution. The Servians at length rose, and expelled him from Servia. He was succeeded by his son, Milan, who died shortly afterwards, and Michael, the present Prince, assumed the Princedom. Although that rank was originally elective, the Porte had consented to make it hereditary. Michael trod in the footsteps of his father. He aimed at governing despotically. He entered into intrigues with foreign Powers against the Porte, began to stir up the neighbouring populations, and to demoralize the country. He soon contrived to disgust both his own people and his Sovereign. The Servians rose against him, and he was compelled at the end of 1842 to fly the country. The adherents and advocates of Prince Michael now wish to make it appear that he was expelled by the intrigues of the Porte. At that time no such assertion was made; nor in the protest which Prince Michael thought fit to make on leaving Belgrade is there any mention whatever of such intrigues, or is the Turkish Government accused of having had any share in his expulsion. I can speak with the confidence which personal knowledge can give of what happened at this time in Servia. My first entry into political life was a private mission with which I was intrusted at that time by that illustrious diplomatist Lord Stratford de Redcliffe. I was sent to Servia to report upon what had occurred. I was in intimate relation with the Servian leaders. And who were the men who had placed themselves at the head of the popular movement against Prince Michael? Were they Turks, or friends and partisans of the Turks? No, they were the old brothers in arms of Kara-George, who had fought with him in the War of Independence, and with him had expelled the Mussulmans from Servia—Vutchitch, Petronievitch, Zuban, and others; not men of an artificial French refinement, but simple, brave, honest, patriotic, men, who loved their country, and were prepared to lay down their lives for her liberties. They, in the name of the people, proclaimed the son of their old leader, Alexander Kara-Georgevitch, Prince of Servia. When the Consuls of the foreign Powers at Belgrade asked Kiamil Pasha, then representing the Porte, whether he was going to support Alexander, he answered that it was his duty to consult the Servian people. The General Assembly was called together, and they would have none other but Alexander for their Prince. The Porte accordingly confirmed their decision. M. Zuban, who presided at one time over the Administration of Justice, was sent to Constantinople to carry on negotiations with the Porte. I knew him intimately. For many an hour has he sung to me the popular songs of his country, describing her bloody struggles with her ancient oppressors, and celebrating her victories over the Turk, accompanying himself upon a primitive fiddle with one string. We talked together in dog Latin, which was then the medium of communication between the Servian statesmen and the outer world. These men, with all their rude, simple, primitive habits and mode of thought, more truly represented the Servian people than some who pretend to greater refinement and civilization. They, at least, were honest, and had the real interests and good of the Servian people at heart. The popular revolution which had taken place in Servia, did not, for various reasons, suit the Russian Government. It protested against it, and peremptorily called upon the

Porte to revoke its recognition of Alexander, and to discountenance this assertion of popular rights. The Porte for some time refused. It is well known that Russia was on the point of making the question one of war or peace. It was principally owing to the interference of Lord Aberdeen, then Foreign Secretary, that a Russian invasion of Turkey did not take place. The Porte, under the advice of England, consented to a new election in Servia; but the people unanimously insisted upon having Alexander, and even prepared themselves to resist by arms any interference in their affairs. Prince Alexander Kara-Georgevitch reigned in Servia for nearly eighteen years. During that period there was peace in the Principality; there was no Servian question in agitation; we heard nothing of Turkish oppression and Turkish outrages; we had no discussions in this House about Servia. There were, probably, but few hon. Members who even knew that such a semi-independent Principality existed. These facts furnish the best proofs that the people were well satisfied, and had no reason to complain. We have heard from my hon. Friend of the improvements which have taken place in Servia, and which contrast, he says, most favourably with the state of Turkey; how roads have been constructed, how schools have been opened, how the education of the people has advanced, how their national prosperity has increased. I willingly admit these improvements, and believe them to have been not merely showy and superficial, but real and substantial, and such as are required amongst the Christians of the East. But let me remind the House that it was during the liberal, quiet, and peaceful administration of affairs under Prince Alexander that they took place. It is to his reign that Servia owes them. During the whole of this period the Turks, who had not left the Principality as they ought to have done, lived on the most friendly terms with the Christians. I remember that such was the case when I was at Belgrade. They bought and sold of each other; no quarrels or outrages were heard of. M. Garaschanin himself made an admission to Mr. Longworth, which he now endeavours by vague assertion and indiscriminate accusations to explain away, but which facts prove to be true—that only two riots occurred during those years, and only one Servian was killed. Why had not the Turks quitted Servia, as it was agreed that they should do? Some families had left—had given up their lands and property, relying upon the promises of indemnification; but up to this day those indemnities have, I believe, never been paid. As long as this question remained unsettled, it was difficult to force the remaining Turks to quit the country, and to become starving beggars and outcasts. Negotiations were constantly going on at Constantinople on the subject. I will not say that the Servian Government was alone to blame. I have no doubt the usual dilatory and procrastinating policy of the Porte interfered with a settlement; but, at any rate, during the reign of Alexander no mischief ensued, nor was any outbreak ever feared. At the same time, those elements of a misunderstanding which ought, in common prudence, as well as in justice, to have been removed, were allowed to remain. Mr. Consul General Longworth thus describes the condition of the Turks of Belgrade during this period—

> "As to the Turks of Belgrade being a turbulent population, the charge I never before heard advanced during a residence of two and a half years at Belgrade. On the contrary, I have always understood, that being but a comparative handful amidst the Servian population, they were remarkable for their quiet and inoffensive conduct to everybody. M. Garaschanin has stated to me, that for twenty years previously to the restoration of the dominant family there were only two riots, and one Servian killed, in the town. Finally, if the Turks were people of such violent and disorderly character, why, it may be asked, have the Jews always preferred taking up their abode in their quarter of the town?"

Whilst Alexander reigned, the administration of their affairs was in the hands of the Servian people. They paid their annual tribute, a small sum, not amounting to more than £20,000, to the Porte. The Turkish Government never interfered with them. It is perfectly monstrous and ridiculous to talk of constant Turkish outrages and of Turkish oppression, as the Servian gentlemen who circulate these pamphlets do. No one ever heard of them before. Forty pandours, or policemen, were sufficient to keep order throughout the Principality. The taxes were very light, and the administration was simple and inexpensive, and at the same time such as suited the wants of the people and the social condition of the country. That the Servian nation was satisfied, and had no complaint against the Porte, its conduct during the Russian war furnishes ample proof. A rumour having prevailed that

Austrian troops might be sent into the country to prevent the Servians taking part against the Turks, the Servian Government drew up a memorandum [*Parl. Papers, Session* 1854], in which this remarkable passage occurs—

> "As far as concerns internal insurrections, we fear them now less than ever. The whole nation is perfectly convinced that its most precious interests impose upon it the maintenance of tranquillity and order, and the avoidance of anything that could involve it in the war, and turn Servia into a battle-field. Filled with a deep gratitude to the Suzerain Court for the privileges which have been so graciously confirmed to them, and for the attitude which they have been allowed to hold during this war, the Government and people of Servia are too much alive to their own interests, and too much attached to the happiness of their country, to hesitate a moment as to the line of conduct to be followed. Their consciousness of their own situation will preserve them, better than any threats whatever, from all false and injurious measures.
>
> "In other respects, since the war has broken out, has not Servia sufficiently shown that she both knows, and will remain faithful to, her duties and obligations? Notwithstanding all that may have been said, she has never ceased following a line of conduct, retiring it is true, but loyal and conformable to her engagements. Neither will she henceforward deviate from this line of conduct. The Sublime Porte may be perfectly sure of this."

The Servians resisted every attempt to induce them to arm against the Turks in favour of Russia. Surely, if they had so much reason to complain against the Porte as we are now told they had, if the outrages described had been committed, if there had been that interference in their internal affairs, now would have been the time for escaping from Turkish oppression. Yet they steadily refused to take part in any way against Turkey, and remained faithful throughout the war to the Suzerain Power. This state of things did not suit the views of the partisans of Prince Milosh, and of those who had countenanced the ambitious schemes of his family. Intrigues were industriously carried on, and at length an outbreak was brought about, and Prince Alexander was compelled to leave Servia. Most untruthful statements—and statements which the writers perfectly well know to be untrue—have been made by the gentlemen who have written and circulated these pamphlets about Servia. They denounce the policy of Alexander as "anti-national;" I believe it to have been "national" in the best sense of the word —national because most conducive to the to the true interests, happiness, and prosperity of the Servians. What they call "subserviency to the Turks," I would term a respect for treaty and other engagements, honourable to the Prince and his advisers. Prince Milosh returned to Servia. The policy of Prince Alexander's reign was reversed. The Servian question immediately turned up. Pansclavonic intrigues and designs were again heard of. Risings took place in Montenegro and amongst the adjacent Christian populations. Servian agents appeared at Bucharest. The Servians were incited against the Turks. Riots were brought about. Reports were industriously circulated of Turkish outrages. It was evident that something was brewing. But before his schemes could be matured and carried out, Milosh died. His son, the present Prince, who had been expelled in 1842, claimed the succession as an hereditary right. The Porte denied that right, and was perfectly justified in doing so, as it had ceased on the expulsion of the family, when the right of election had again been claimed and exercised by the Servian nation. The Turkish Government, as the protectors of the Servian people, and as the guarantors of their liberties, wished them to choose for themselves. However, rather than run the risk of complicating matters in Servia by raising difficulties, the Porte yielded, reserving to itself the right of objecting. The "Berat," or firman of investiture, was sent through the Turkish Commissioner, whom Prince Michael had the bad taste to treat with marked discourtesy and disrespect. It was evident to any one acquainted with the state of things in Servia that it was his intention to commit an open breach with the Porte. One of his first steps was to raise the pandours, or police-guard, at Belgrade, to 300 men, and to enrol amongst them refugee Montenegrins, and Christians from other parts of Turkey known for their crimes as well as for their enmity to the Turks. It has been denied by M. Garaschanin that these Montenegrins were enrolled. They have since been removed from Belgrade, and have been placed in hiding for the time. Mr. Consul General Longworth thus describes the constitution of this corps—

> "The disorder and perturbation of which Belgrade has been so long the theatre, the crisis of which has been the late outbreak, was in a great measure brought about by a body of men called 'gendarmerie.' They were instituted by Prince Milosh, about a year after his return to Belgrade, and consisted at first of 120 men. Before that time the Servian police had been composed of some thirty pandours, as they were called, who, co-operating with the Turkish police, succeeded perfectly in keeping the peace of the town—Turks

and Servians living on the best terms together, and, as I have been assured by M. Garaschanin, only two riots having occurred, and one man being killed, during the course of the twenty years. The chief business of the gendarmerie was to intimidate the Turkish population, and gradually encroach on the functions of the Turkish police, so that they should be at length practically superseded by them. This force has been from time to time augmented, and last autumn, when the National Assembly was convoked at Kragugevatz, their numbers were doubled: their equipment and organization were also completed; in addition to pistols and side-arms, muskets and bayonets were kept in depôt to be distributed to them on an emergency; they were also subjected to military drill and discipline. The moral composition of the corps was even more formidable than the physical. Its chief was a certain Barlwatz Birkish, who in the revolution of 1842, assassinated the father of M. Garaschanin. The way in which it was for the most part, and more especially of late, recruited, was most scandalous. The best recommendation to employment seems to have been a character for ruffianism. Montenegrin and Bosniac refugees, animated by a spirit of vengeance against the Turks, were preferably enrolled in this corps. It was natural to expect that such men would not prove very manageable, or that their lawless ferocity could always be kept within the bounds prescribed by the interests of the Servian Government; it seems hardly fair, however, on the other hand, to visit these crimes with the severity it has been advised to do of late, nor will it thereby escape responsibility. The impression made by this system of terror on the Turkish population, who naturally shrink from a collision, well knowing by experience that, right or wrong, they would be sacrificed, was very painful to contemplate, when the Servians themselves, conscious they were driving them to despair, declared them to be arming: but I have been at great pains to clear up this accusation, and I feel convinced it was unfounded; they showed great patience and forbearance to the last."

Then succeeded a series of riots and outrages. We heard of Turks assaulting and slaying Christians. Inroads were made from Servia into the adjacent Turkish provinces. The Turks revenged themselves. Murders were committed on both sides. In 1861 the Prince convoked the Skuptchina, or General Assembly. This is a general meeting of the Servian people held at Kragugevatz, in the centre of Servia. The object of the Prince being, it would appear, to curtail the liberties of the people, and to extend his own power, he first thought it necessary to propose three measures which might conciliate popular favour. These were:—That the succession to the Principality should be declared hereditary; that a militia of 50,000 men, with a reserve of 70,000, should be raised; and that he alone should represent the Servian nation in its relations with foreign Powers, and should conclude all treaties and conventions. These three measures amounted to a virtual declaration of independence of the Sultan. They were in direct violation not only of the solemn engagements between Servia and the Porte, but of stipulations in treaties with European Powers. The Prince next proceeded to curtail the rights and liberties of the Servian people, in violation of the Hatti-Sherifs of the Suzerain Power, which had guaranteed these rights and liberties. He introduced a change in the constitution of the Skuptchina itself, which has the effect of reducing its number by 100, and thus rendering the process of bribery and intimidation easier. By a law, which he contrived to get through the Skuptchina, he gave himself the power of dissolving as well as of convoking this Assembly at his pleasure, choosing the time most suitable to himself. A period of three years must now elapse before the nation can demand its convocation. It will be remembered that the Sultan's Hatti-Sherif empowered the National Assembly to meet yearly. He further deprived the Assembly of the right of electing its President, Vice President, and Secretary, who are to be elected by himself. Formerly this Assembly met armed. Its members are now prohibited to go armed, whilst the Prince is at liberty to surround the Skuptchina with an armed force of his own, and thus to interfere with its independence. He next proceeded to violate altogether the Organic Statute embodied in the Hatti-Sherif of 1838, which had been given to the Servian people at their own request and with the consent of Russia, and the execution of which had, moreover, been placed under the collective guarantee of the great Powers of Europe by the Treaty of Paris. Under that Statute, as I have stated, the members of the Council could not be dismissed without having been guilty of some infraction of the laws of the country. They are now entirely at the mercy of the Prince, and can be dismissed at his pleasure. The Prince has further arrogated to himself the right of naming the President and Vice President of the Council, who are to exercise their functions until changed by the Prince, who will also appoint the Secretary, and who can even pension them all off; thus placing this body, whose duty and function it was to protect the liberties of the people, entirely at the mercy of the Prince. By the Statute the three functionaries appointed for the management of affairs were to be directly responsible to the Council; they are now virtually responsible to the Prince alone. Both the Porte and Her Majesty's Government, through Mr. Consul General Longworth, protested against these proceedings of the Prince, not only as an unwarrantable assumption of independence and as a violation of solemn engagements and treaty stipulations, but as a direct attack upon the rights and liberties of the Servian people. We warned him that this course of illegality could not fail to end in trouble to himself and in serious danger to Servia. By declaring his succession hereditary he had deprived the nation of their undoubted right of election. Popular election might or might not be a convenient system, but that was not a question either for the Porte or the Prince to decide upon. The Sultan had guaranteed to the Servian people the right of election, and the Prince had no power to deprive them of it without their consent together with that of the Suzerain. Again, it was ridiculous, it was monstrous, to endeavour to raise a militia force of 50,000 men, with 70,000 reserve, out of a population of about 1,000,000—thus placing almost the whole adult available male population of Servia under arms, and converting the Principality into a camp. When the Prince was asked why so large a force was required in a country whose rights and actual status were guaranteed by the great Powers of Europe, and upon which Turkey had never attempted or even meditated any attack, he coolly replied that it might be for the defence of Turkey herself. When Turkey declared that she had no need of such defence, other excuses no less frivolous were invented. The right to negotiate independent treaties with foreign States was a complete throwing off of the suzerainty of the Sultan. Is it surprising that the Porte should have remonstrated against these pretensions? Is it surprising that it should desire to enforce its undoubted rights? Is it surprising that it should have felt alarm at these undisguised preparations for aggression upon Turkey? What followed? Within a very short period intrigues were rife in the adjacent Turkish provinces to stir up the Christians to insurrection. Russian consular agents were sent to nearly every town of any importance in Bulgaria. I believe no less than twelve were thus appointed. Servian and Russian political agents were actively engaged in exciting the Bulgarians and the Bosnians to rise. Reports were industriously circulated that the Prince of Servia himself was shortly about to cross the frontier into Turkey, and to place himself at the head of the Christians. Negotiations were secretly opened with the Prince of Montenegro and the Christian insurgents in Herzegovina. Turks and Servians were murdered in Servia. My hon. Friend has carefully omitted all reference to these things. He has not even noticed the fact of the previous murder of twelve Turks by the Servians in 1860. Mr. Consul General Longworth over and over again, by direction of Her Majesty's Government, warned the Prince and the Servian Government of the inevitable consequences of their proceedings. We did not offer these warnings as the enemy of the Servian people, but as their friend, taking a sincere interest in their prosperity and welfare. The natural result of what I have described was, that the Turks took alarm, and were greatly irritated. Rumours had long been prevalent that the Servians contemplated an attack upon the fortress of Belgrade. So much importance was attached to these reports that the Austrian Government had actually offered to the Turkish Government to send assistance to the fortress, an offer which was declined. In the papers concerning the bombardment of Belgrade laid on the table of the House will be found a warning despatch from Mr. Longworth, written on the 2nd of June, more than a fortnight before the bombardment, which shows that the Servians were pushing the Turks to extremities, and that a collision was becoming inevitable.

I think I have shown, that whatever may have been the faults of the Turks—and I do not hesitate to admit that much blame attaches to the Turkish Government for not having come to a settlement of some questions pending between them and the Servian Government, against, let me add, the urgent and repeated remonstrances of Sir Henry Bulwer acting under the instructions of Her Majesty's Government—whatever may have been the faults of the Turks, I say, it is evident that the Prince and the Servian Government had determined to come to an open rupture with the Porte. I do not of course mean to affirm that they intended to drive the Turks into bombarding the town of Belgrade, or that they had even anticipated that event. That they had designs upon the fortress is more than probable. They certainly had certain schemes which, by exasperating the Turks and bringing about a collision with them, they believed they could carry out. M. Garaschanin expressly admits it in the proclamation which he addressed to the Servian people after the bombardment and the concessions made by the Porte. These are his words:—"We have gained what we under other circumstances could only have gained with far greater danger and bloodshed." What did such language mean if it did not mean that the Servian Government had certain objects in view which it had determined to attain by open violence? The despatches of Mr. Longworth prove beyond question that what I have stated was the case. My hon. Friend has attempted to cast discredit upon those despatches, and has spoken of Mr. Longworth in language which I heard with regret. Mr. Longworth is one of my oldest friends. I have known him since the year 1839, when we first met in the East. Her Majesty's Government has not a more honourable, conscientious, and able public servant. To an intimate knowledge of every part of the Turkish Empire, acquired from public employment and travel in nearly every one of its provinces in Europe and Asia, he adds—as I am sure every one will admit who reads his despatches — a very remarkable literary power. Moreover, he is a man who is accustomed to think much for himself, and to think deeply. So far from his being a friend to the oppressor, in early life, with great courage and daring, he made his way into Circassia, and aided the brave mountaineers of that unfortunate country in their struggle against Russia. His very interesting work upon Circassia—perhaps the first which drew attention to that region — may be known to some hon. Members. At a later period he accompanied, as British Commissioner, Fuad Pasha, who was at the head of the Turkish forces in Albania and Thessaly, when the Greeks invaded those provinces. He speaks the Turkish language fluently, and is intimately acquainted with the various races, Christian and Mohammedan, which form the population of the Turkish Empire. Such being the character and experience of Mr. Longworth, my hon. Friend and the House may place the fullest reliance upon the statements that he had made. Mr. Longworth shows you that outrages had been constantly committed on Turks by the Servians, and that the Turkish population of Belgrade were driven well-nigh into a state of despair. He states, what has never been denied, that during the night of the 15th, in spite of the convention between the Servian Government and the Turkish authorities, the Turkish quarter had been sacked by the Servians, and that men and women had been barbarously murdered. He tells you that he himself saw a cart-load of slaughtered Turkish women. Others saw the same sight. My hon. Friend denies that the Servians fired upon the fortress. Upon very good authority the contrary is stated to have been the case. The Austrian Consul declares, that whilst he was in the castle in conference with the Pasha, shots were fired into it. However this may be, the question is not who fired first, or what immediate event brought about the bombardment. What it is necessary to prove, and what I have endeavoured to show, is, that by a series of events, by numerous outrages instigated by the Servian Government and Servian authorities, a collision with the Turks was rendered inevitable. My hon. Friend has spoken as if Her Majesty's Government or Mr. Longworth justified the bombardment of the Servian portion of the city. Nothing can be further from the fact; on the contrary, they have condemned it most emphatically and most unreservedly. It was an unjustifiable act—an infamous act, if you will. Nothing could be stronger than the words of the consular protest quoted by my hon. Friend, and the first name to which is that of Mr. Longworth. My hon. Friend has exclaimed with great energy that Mr. Longworth "did not dare" send home that protest, and that consequently it had not been printed amongst the papers; but I can assure him that he is entirely mistaken. There could have been no possible motive for withholding this document, which was alluded to over and over again by Mr. Longworth in his reports and despatches. The simple fact is this—that Mr. Longworth having sent a copy of it to Constantinople, was under the impression that it had been forwarded from thence to England. Having been informed of his mistake, he at once sent the copy which has been printed, and is now ready for distribution amongst Members of the House. An endeavour has been made to show that the subsequent conduct of Mr. Longworth was entirely at variance with this protest. I see no inconsistency between them. Mr. Longworth did what every humane man would have done under the circumstrnces. Whilst the bombardment was going on, the first thing to do was to stop the effusion of blood and the destruction of property—to protest against them. When quiet was restored, then was an appropriate time to inquire into the history and origin of the attack, and to tell the whole truth. This was what Mr. Longworth did. But was the Turkish Government, as my hon. Friend appeared to insinuate, privy to the bombardment, or did they approve of it? On the contrary, the very moment the news was forwarded by telegraph to Constantinople, they disgraced the Pasha who had ordered it, without waiting for further information, or for his defence and explanation; and they instantly despatched to the spot one of the ablest and most enlightened Turkish statesmen, Ahmed Vefyk Effendi, to institute a full inquiry, and to do justice in the matter. The real origin of the bombardment appears to be this:—The command of the fortress was in the hands of a civilian, and it is well known that men unaccustomed to war are apt to get unnecessarily alarmed, and to lose their heads when the sound of firing is heard and they are exposed to attack. He had been long aware that designs were entertained on the part of the Servian authorities against the fortress. He believed that the moment had come for putting them into execution. Acting partly under an exaggerated sense of responsibility, and partly from panic, he adopted the extreme measure of bombarding the town. But I repeat what I have already distinctly stated, that nothing could justify this act, and that Her Majesty's Government have unequivocally condemned it. I willingly concur, moreover, with my hon. Friend in the satisfaction he feels that owing to the very bad practice of the Turkish gunners so little comparative danger was done to life and property. Still it must not be forgotten that the Servian Government, and those who engaged in the intrigues which I have described, are mainly responsible for this untoward event.

My hon. Friend has complained that the fortress is not only to be left in the hands of the Turks, but that Servian property and houses are to be destroyed in order to furnish a new *rayon* to it, and that it is to be made stronger than it was before. But what is the real state of the case? The fortress is not only a Turkish fortress, and has always been one, but its possession is formally guaranteed to Turkey by the Treaty of Paris. As a fortress, it requires a certain *rayon*. That *rayon* formerly existed, but the Turks, who are an easy-going and careless people, allowed Servians as well as Mussulmans to encroach gradually and to build houses upon it. This accounts for the gates occupied by Turkish troops, and standing in the middle of a Servian or mixed quarter, of which we have heard so much. They were once the gates of the *enceinte* of the fortress, and unquestionably belonged to the Turks as part of it. It was, no doubt, very inconvenient that, under the altered circumstances of the city, these isolated posts should still be held by Turkish troops. They have now been given up, and that part of the question is at an end. But it is only fair and just, that if the Turks retain the fortress, it should be placed in a state capable of defence. The Turks might claim their ancient *rayon*. It was decided to refer the matter to a joint Commission, composed of experienced engineer officers appointed by Turkey and the Great Powers. After a full inquiry and examination on the spot they have unanimously decided upon the *rayon* which is absolutely necessary to the fortress. My hon. Friend has spoken as if only Servian property was to be destroyed to form that *rayon*. That is altogether a mistake. Very few Servian houses are, I believe, to be pulled down; those to be destroyed are, with the exception of a few Jewish, Turkish. And it must be remembered that above 1,000 Turkish houses and shops have been utterly destroyed to satisfy the Servians. The Servian Government and their friends in this country are not satisfied, and ask that the fortress of Belgrade itself should be given up and destroyed. Of what use, my hon. Friend asks, is this stronghold to Turkey? What do the Turks want with a fortress at the junction of the Danube and the Save? The Turks themselves differ in opinion from the Servians and my hon. Friend. They believe that the fortress of Belgrade is necessary to them. The same questions have been asked with regard to Gibraltar. [Mr. WHITE: "Hear, hear!"] My hon. Friend the Member for Brighton (Mr. White) cheers as if he approves of these questions being asked with regard to it. Well, the English people think that Gibraltar is useful and important to England, and have no inclination or intention to give it up. The Turks think the same of Belgrade. They may believe that it may prevent the occupation of Servia by a foreign Power; may prevent Servia being made a basis of operations against Turkey, as Wallachia and Moldavia are well known to have been made.

Moreover, that historic fortress is associated with the ancient glory and victories of the Ottoman race. Can we expect that they will willingly surrender it? and more especially as a recompense to those who have driven them into their present straits, and have wantonly outraged them? My hon. Friend would seem to wish the House to believe that it rested with Her Majesty's Government whether or not the fortress of Belgrade is to be given over to the Servians. But this is a question not for Her Majesty's Government to decide, but for the Turks.

The conduct of the Servian Government since the bombardment has been entirely passed over by my hon. Friend. What has occurred since that event, and whilst the great Powers have been endeavouring to effect some arrangement between the Porte and Servia? We find large supplies of arms clandestinely, I would almost say treacherously, sent into Servia. According to some statements, as many as 100,000 stand; according to the lowest estimate, between 40,000 and 50,000. These arms were not purchased in the open market, and for an avowed purpose, but were secretly furnished from Imperial arsenals in the south of Russia, and furnished, there is every reason to believe, without payment. They were secretly sent across the Moldo-Wallachian frontiers, and under the charge of Russian and Wallachian officials. When information was obtained as to what was going on, and remonstrances were made by the Porte, and by some of the great Powers, the fact of arms being sent was boldly denied; then it was asserted that the arms were few, and were not intended for Servia at all. When the whole transaction was fully exposed, the Prince of Servia came boldly forward, and declared that the arms were for him, and that he had a perfect right to receive them. At the same time vessels came up the Danube, under the Russian flag, laden with gunpowder and munitions of war, and destined for Servia. Now, these proceedings were not only in direct violation of the Prince's engagements and duties to the Porte, but of the treaties with foreign Powers, which prohibit the importation of arms or ammunition of war into Turkey, of which Servia is a province. Is it not natural that the Turkish Government should view these proceedings, undisguisedly hostile, with some degree of alarm? Are they to remain idle and to take no step whilst their avowed enemies are arming? All the Turkish Government have done—and very prudently under the circumstances—is to send a few troops to the Servian frontier to maintain order, and to be prepared to defend the province of Bulgaria against an attack. Well, this is at once seized upon as a great cause of grievance, and Mr. Garaschanin exclaims very loudly against the threatened attack of the barbarous Turks, and the oppressions and outrages to which the unfortunate and innocent Servians are exposed. His cries are repeated in this country, and we hear the conduct of the Turkish Government denounced in this House. It really would seem, that when "Eastern Questions" are discussed here, hon. Gentlemen lose all sense of justice and right. Let a people believe in Mahomet, or pay respect to Confucius, and no treatment can be too bad for them. They may be deprived of their property or their lives with impunity, so long as those who rob and murder them are Christians. If I venture to protest against these doctrines, and to urge that equal justice should be dealt out to men of all creeds, I am denounced as a Turk, or a friend of the Turks. This intolerance of those who do not agree with us may be a form of Christianity; but it is certainly not the Christianity in which I have been taught to believe. The British Government warned the Russian Government of the dangerous consequences of the course it was pursuing in encouraging the Servians in their designs upon Turkey, and in supplying them with arms. Lord Russell, in a prophetic strain, pointed out, that if there was to be a great Pansclavonic movement, Warsaw must eventually become the centre of it. His words were speedily verified. The Polish revolution broke out within two or three months after they were uttered, and it is not impossible that some of the arms intended for Servia, and that some of those who went to play the part of instigators of rebellion in Turkey, may have found their way into Poland. It is a dangerous thing to play with fire in a neighbour's house, when one's own is built of inflammable materials. I trust that this lesson may not be lost upon Russia.

These preparations for eventual aggression upon Turkey are, I fear, still continuing. A large number of redoubts, about a hundred in number, are being raised by the Servian Government on the

Turkish frontier, and nearly 100,000 men are being armed and exercised. Is it, therefore, surprising that the Turkish Government should be taking ordinary precautions to defend themselves, and is it not the height of injustice to ask Her Majesty's Government to prevent them doing so? Because Her Majesty's Government do not step in and commit so flagrant an act of injustice, we are denounced as the partisans of the Turks and the enemies of the Christians. I utterly and indignantly deny the truth of any such accusation. The same accusation was made against the British Government in the case of Greece. Greece offers in many respects a parallel, and certainly a warning, to Servia. Instead of turning their attention to the development of the resources of the country, to the prosperity and happiness of its people, to their education, to the extension of commerce, and to the construction of roads and of public works, the Greek Government were led away by wild schemes of dominion and aggrandisement. The Turk was to be ejected from Europe, and the Cross triumphantly planted above the Crescent upon the dome of St. Sophia. Her Majesty's Government warned the Greek Government, that if they were desirous of promoting the real interests of the Greeks, even that future greatness which they contemplated for the Greek race, their true policy was not to sacrifice everything to temporary intrigues and illusive schemes, but to turn their whole attention to the material improvement of Greece, and to fit her people for self-government, so that she might furnish an example to Eastern nations; and if the occasion should arise when any addition could be made to her territory, she might be ready for it, and worthy of it. For giving such advice and opposing the ambitious designs of the Greek Government, Her Majesty's Government were, over and over again, denounced as the enemies of Greece. Our conduct was contrasted with those Powers which, because they encouraged her, were supposed to be her friends. What happened? The rulers of Greece brought the Greek name into general contempt, and they fell without sympathy from Europe or from their people. The Greek people, recognising the justice and wisdom of the advice given to them by England, turned to her in their difficulty, and elected by unanimous acclamation an English Prince for their King. In like manner we have said, and say, to the Servian Government, "Abandon your ambitious schemes, and your intrigues amongst the Turkish populations. Seek to improve the moral and social condition of your own people, develop the resources of your country, make the utmost of your free institutions, show that there is an Eastern Christian race capable of governing itself. You have nothing to fear from without. Your internal independence, the administration of your own affairs is solemnly guaranteed by all the great Powers of Europe. The Turks have neither the intention nor the desire to interfere with you. You may so educate and civilize your people that you may one day worthily represent the Sclavonic race; but that time is not yet come, and you are rendering its advent more remote, if not impossible, by the course you are now pursuing." Such is the advice that we tender to the Servian Government. In tendering it we are called the enemies of the Servian people. I contend that we show ourselves their truest friends. If we are the enemies of any persons, it is of those intriguers who for motives of self-interest would deceive and mislead them.

Long before my hon. Friend knew anything of the Servian people I had felt a deep interest in them. There was a time when as a young man I looked with some enthusiasm upon that frugal, honest, simple, industrious race, as likely to form the nucleus of a wide-spreading Sclavonic civilization. But I confess that my hopes have been greatly damped by the events of the last few years. I fear that Servia is being deluded into taking the same course as that which has been so fatal to Greece. Formerly, the people were lightly taxed; they enjoyed a cheap administration; they were allowed a voice in their own affairs; there was no standing army to tread down their liberties; they were on friendly and neighbourly terms with the Turks; they were making slow but certain progress. I see them gradually deprived of these blessings. What do we find? Recently Prince Michael has turned the three functionaries who were to preside over justice, finance, and home affairs, into seven Ministers of State. There is a Minister for Foreign Affairs, a Minister for War, a Minister for Justice, and I know not for what else. He must have Diplomatic Agents at the European Courts. Servia must have above 100,000 men under arms. And all this with a population of not more than 1,000,000 of souls! Why, such things are simply ridiculous! We are hearing, too, of a vast extension of territory. There are whispers that Bosnia, Herzegovina, Montenegro, and Bulgaria are to be united under one Prince, and that Prince the Prince of Servia. To bring the public opinion of Europe round to this notable scheme, pamphlets are liberally published and circulated, and no doubt cost a great deal of money. Now, what is the immediate result of all this? Quarrels with the Porte are daily taking place; brigandage is increasing; the country is gradually becoming demoralized; the taxes are nearly doubled, and will be probably quadrupled: the husbandmen are being taken from their fields and the artisans from their labour, the people are gradually becoming discontented; and to crown all, the last news from the Principality is that the Prince has declared eight districts in a state of siege and under martial law, and reserves to himself the right of placing the others in the same condition! Such are the results of the policy of Prince Michael and his advisers. The Servian people are beginning to sigh for the quiet times of Prince Alexander. All they want is to remain at peace and to be on friendly terms with their neighbours. They do not want, for the sake of promoting Pansclavonian schemes, to pay four times the amount of their former taxes; nor do they require a standing army or a Corps Diplomatique. In a short time we shall, no doubt, see the Servian Government coming to this country for a loan. We shall hear of concessions to influential persons. Very probably the exertions of their friends may obtain the money for them. But British sympathy is very much cooled by the non-payment of dividends. We shall see the case of Greece over again; interest will not be paid; and Servia will fall into discredit and disgrace. It is not impossible that the Servian Government may succeed in involving Servia in a war with Turkey. Then one of two things will happen: either Servia will be left alone to fight her battles against the Turks, or she will ask for and obtain foreign assistance. If she be left alone, the Turks will sweep the Servians off the face of the earth. Servia, with her small population, however brave and warlike, and her limited resources, can have no chance alone and unaided against the well-organized and numerous troops of Turkey. She may then turn for assistance to some foreign Power—to Russia or to Austria. Russia may march troops to her aid, and she may free herself altogether from Turkey. But what will happen then? Servia independent of Turkey means Servia dependent upon some other Power. But will her position be then improved? I venture to say that it would not. I do not think that Servia of herself can take her place as an independent State amongst the Powers of Europe. We hear a good deal about a great Sclavonian Kingdom with the Prince of Servia at its head. But let the Servians learn to govern themselves before they attempt to govern others, let them render themselves able to maintain their own independence. Let them secure the substance before they endeavour to grasp at the shadow. I hope the words of warning and advice that I have ventured to utter may reach the Servian people. I fear they will have little effect upon those who, from motives of ambition or self-interest, are seeking to lead the nation astray, and to plunge it in great difficulties and danger. I believe that the course I have ventured to recommend is the one best calculated to promote the prosperity and to insure the real freedom of Servia.

My hon. Friend the Member for Galway (Mr. Gregory) has quoted, with reference to the union of the Danubian Principalities, a passage from a speech made some years ago by my right hon. Friend the Chancellor of the Exchequer. The Chancellor of the Exchequer then described, with his usual power and brilliancy of language, the duty of England with regard to the wishes of the populations of Wallachia and Moldavia, then in favour of union. With the principles then so eloquently laid down I most entirely and heartily agree; in those opinions I entirely concur. Upon those principles and opinions the British Government acted. If the inhabitants of the Principalities desired their union, it was not for us to oppose their desires. The Turkish Government confirmed the choice, made by the inhabitants of the two provinces, of one Prince. But with a view, not to its own advantage, but for the protection of the Wallachians and Moldavians, the Porte reserved to itself the right, after the death of Prince Couza, to continue or to dissolve the union as the interest of the Principalities themselves required. Although we had no right to interfere with the wishes of the inhabitants of the Principalities when they demanded their union, it was allowable to have an opinion on the subject. I ventured to state in this House that I believed the union would not advance the prosperity or the happiness of the people. Has it done so? I have good reason to believe that it has not. In these provinces, too, the Prince is endeavouring to curtail the liberties of the people. Already discussions with the Assembly are leading to the assumption of arbitrary power. Class is being set against class. The expenditure is being increased. Ambitious schemes are being developed. The country is gradually being demoralized. Amongst other arbitrary acts, the Prince, in violation of the arrangement made by the protocols of Paris and of his duty, has confiscated the revenues of the Greek convents; and when an ecclesiastic of rank was sent to remonstrate he was thrown into prison, and has been condemned to three years hard labour in the mines. Already an influential and growing party is formed in Moldavia anxious to dissever the union, and to return to the old state of things. Have the prosperity and happiness of the Montenegrins been increased by the course they have taken at the suggestion of their so-called friends? Last year, without any provocation, they made a wanton attack upon Turkey and committed great atrocities. We urged them not to engage in a hopeless struggle with the Turks. We advised them, over and over again, to accept the very fair and reasonable terms offered to them. But in vain. They were led away by schemes of conquest and hopes of support. The result was, that they were defeated, and would have been entirely overpowered if it had not been for European interference. As it is, the best blood of the race has been spilt, the bravest and most warlike of their young men have been killed, and it will take Montenegro a quarter of a century at least to recover the strength she possessed before embarking in this fatal war. I venture to think, that if it were the object of Her Majesty's Government to befriend the Turk at the expense of the Christian, to throw the latter back half a century, and to render his chance of being happy, prosperous, and free more remote than ever, we could not do better than adopt the policy suggested by my hon. Friend the Member for Galway. It is because we do not wish to inflict these injuries upon the Christians that we have adopted the policy I am defending. I know of no States that might enjoy more real happiness, independence, and prosperity than the three Danubian Principalities under the suzerainty of the Sultan. It is their interest to be on good terms with the Porte, as it is the true interest of the Porte to have a good understanding with them. They are useful to Turkey as frontier provinces, which, from their peculiar position and constitution, might form a barrier against invasion or attack. On the other hand, Turkey is no less useful to them. For she, a considerable military Power, is bound to protect them, whilst they are at the same time placed under the guarantee of the European Powers. Thus they can direct their whole energies, their whole resources, to the development of their prosperity and to the perfecting of their institutions. They need no army to defend them, and no diplomacy to represent them;—a simple, modest, and economical establishment for their Prince is all that is necessary. The people should consequently be more lightly taxed than almost any other in the world. They are going to throw away all these advantages at the bidding of a parcel of intriguers who have picked up the outward varnish of civilization in European capitals, and have returned home, having acquired some bad French and worse morals. These men, by their speeches and writings, seek to mislead a quiet, inoffensive, and ignorant people, who only desire to remain at peace, and to cultivate their fields and to bring up their children. They make them believe that the time has come for exterminating the Turks and appropriating their lands. The kind of surface civilization which this class of men would wish to introduce is the most mischievous and detestable thing imaginable. Those who support and encourage them, and advocate their political schemes, are, I am convinced, the worst enemies not only of the Servians but of all the Christian subjects of the Porte.

Let me now say a few words upon the general condition of the Turkish Empire, which has formed the subject of a considerable portion of my hon. Friend's speech. I must say that my hon. Friend has not given us much new matter. What he has said has been said over and over again. The immediate fall of the Turkish Empire has been confidently predicted for the last century. The unquestionable proofs of its decay have formed the theme of innumerable travellers of all nations; yet it has outlived some kingdoms, and may outlive others. My hon.

Friend has repeated old stories which I remember to have heard when I first went to Turkey nearly twenty-five years ago—stories which have been handed down for generations from father to son, and have formed the traditionary stock-in-trade of the *laquais-de-place* of Pera for the instruction and amusement of innocent and credulous tourists. I really think my hon. Friend fully believes in the romantic histories of hundreds of unhappy ladies tied up in sacks seen floating in the Bosphorus, and in those rows of human heads daily exposed in front of the Sultan's palace, which so many travellers have been sent to look at—from a respectable distance. In one of the numerous pamphlets published in the form of a letter, from which I fancy my hon. Friend has largely drawn his information, we have this passage gravely quoted from what he has informed us is the *Code Napoléon* of Turkey:—

> "And the tributary (or Christian) is to be distinguished in the beast he rides, and in his saddle, and he is not to ride a horse; he is not to work at his work with arms on; he shall ride on a saddle like a pillion; he shall not ride on that except as a matter of necessity, and even then he shall dismount in places of public resort; he shall not wear clothes worn by men of learning, piety, and nobility. His women shall be distinguished in the street and at the baths, and he shall place in his house a sign and mark, so that the people may not pray for him or salute him. And the street shall be narrowed for him, and he shall pay his tribute standing, the receiver being seated, and he shall be seized by the collar, and shall be shaken, and it shall be said to him, 'Pay the tribute, O tributary! O thou enemy of God!'"

The precious production from which this passage is extracted is signed by a M. Markovitch. It is but a sample of the wicked and audacious statements put forward by the gentlemen who have constituted themselves the representatives of the Servian people in this country. It is said that in former days, when a Representative of one of the Christian Powers was received in audience by the Sultan, he first went to the door of the Grand Vizier's apartment, and having knocked at it, humbly waited admittance. The Minister, having been informed that an infidel tributary was outside, exclaimed, "Clothe and feed the dog, and bring him in." A fur pelisse was then thrown over the Ambassador, and he was led into the presence of the Grand Seignor. Such, tradition says, was the ceremony on the occasion, and even the proudest of Christian nobles had, it is asserted, to go through it. I do not know whether it was still the custom when Lord Stratford first went to Constantinople. At any rate, I am sure he would not have submitted to it. The degradation inflicted upon Christians, as described in the extract from M. Markovitch's pamphlet, is of the same class. M. Markovitch wishes us to believe that these things are still in existence. He knows, as well as I do, that there is not a word of truth in what he states. It would be as well to quote the laws and usages as regards the Jews which existed in the thirteenth century, as proof of the actual condition of that people in England at this day. All I can say is, that I have travelled in Turkey as much as most persons, and have never seen these things. As far as I, a Christian, am concerned, I have always been treated with the utmost consideration, kindness, and courtesy.

Three years ago the Russian Government, for purposes of its own, made strong representations to the Porte on the state of its Christian subjects, and violently denounced their treatment and the oppression to which they were subjected. The Sultan, desirous of showing that these accusations were, if not unfounded, very much exaggerated, directed the Grand Vizier, Mehemit Kabrisli Pasha, a very enlightened, liberal, and upright statesman, to proceed to the European provinces of Turkey to make inquiries into the condition of the Christians, and to invite complaints from them with regard to their greivances. The Grand Vizier was accompanied by a Council to aid him in his investigations, and to examine all charges made against the provincial authorities. The Council was fairly and liberally constituted. It was composed of four Christian gentlemen of different sects and of four Turks. In addition, the Consuls of the various European Powers were invited to meet and to assist the Grand Vizier in his inquiries. Moreover, a local Medjlis, or Court of Inquiry, was formed, composed of two Christians, two Turks and one Jew. Writing of this Court Mr. Vice Consul Blunt (September 24, 1860) remarks—

> "I accidentally had an opportunity of watching its proceedings, and I am glad in being able to report my having heard that the Christian members as well as the Jews were treated with the same regard as their Turkish colleagues, and that they took a prominent part in the deliberations."

Mr. Consul General Longworth, in his report of the result of the Grand Vizier's tour of inspection, says—

> "The task which the Grand Vizier has had to perform, to investigate the affairs and redress the grievances of this province (Bulgaria), has indeed been most arduous; he has, however, accomplished it with energy, justice, and impartiality."

At the same time Sir Henry Bulwer, by a circular addressed to all British Consular officers, invited answers to a series of searching questions relating to the condition of the Christians, and to improvements which might be made in it. My hon. Friend has ventured to assert that this circular was merely a blind, that it was issued in order to carry out foregone conclusions, that it plainly told the Consuls what they were expected to say, and that they reported accordingly. Such accusations against Her Majesty's Ambassador scarcely deserve notice. I will not condescend to repudiate them. Sir Henry Bulwer's object, the object of Her Majesty's Government, who authorized and directed the step taken, was to ascertain the truth, and nothing but the truth. Not satisfied with his accusation against Sir Henry Bulwer, my hon. Friend goes further, and accuses us of not even giving the genuine reports of the Consuls, but of "cooking and garbling them." These accusations are utterly unfounded. But my hon. Friend himself, with strange inconsistency, quotes from these very documents all that suits his purpose; and, indeed, chiefly relies upon them for the case he thinks he has made against the Turkish Government. He has, however, taken good care to pass over all such parts of them as may tell against himself, or give the House a just and impartial view of the whole question. I will endeavour to supply the deficiency; and as my hon. Friend has confined himself to quoting such passages as may furnish accusations against the Turkish Government, I will point out such as may present some evidence in its favour. Surely, if these reports can be quoted on one side, they may be equally quoted on the other. Indeed, I believe them to give a very fair, just, and impartial view of the state of Turkey in Europe, and of its Christian population. The very contradictions they seem to contain furnish proof of the fact. Such contradictions and inconsistencies are precisely what we might expect to find in a great country in a state of transition, and amongst populations so various and so little civilized. I have some personal acquaintance with nearly every Province of the Turkish Empire, and these Consular reports fully confirm the impressions that I have derived from actual observation on the spot. They show cases of shameful wrong and oppression, they point out many instances of miscarriage of justice, they prove that the Christian subjects of the Porte are very far from being yet placed on a footing of equality, either as to religion or civil rights, with the Mussulmans; they abound in statements which naturally cause indignation in the minds of those who read them. On the other hand, they furnish evidence of great and substantial improvements in the condition of the Christians of Turkey; they describe a very remarkable advance in the material prosperity of the country; and what is most important, they establish that there is an earnest desire on the part of the Sultan and his Government to do justice to all his subjects without distinction of creeds, to put an end to the abuses which all admit to exist, to develop the resources of his country, and to secure the happiness and welfare of his people. These attempts may not have been crowned with complete success, though I conscientiously believe that such progress in salutary reform has been made as to lead to a hope that in the course of time the condition of both Turks and Christians will be most materially changed for the better.

There are certain things which, it appears to me, these reports, if fairly and impartially read, fully establish. They are these:—1. That a great change has been going on in the condition of the Christians throughout every part of Turkey during the last twenty years. 2. That there is no systematic oppression of the Christians by the Turkish authorities, and certainly not by the Turkish Government. 3. That they are exposed to occasional acts of injustice and wrong by the local officials, who are generally corrupt, are frequently almost beyond the control of the Central Government, and too frequently commit acts of cruelty and oppression with impunity; but that the grievances of the Christians arise as much, if not more, from the misconduct and corruption of their own Bishops and Chiefs as from the Turkish authorities. They suffer, indeed, infinitely more in some places from their own co-religionists, who, be it remembered, are generally the very farmers of the taxes and the collectors who have been denounced with so much justice. A Christian may manage to escape from a Turkish oppressor, but he can with difficulty avoid the scrutinizing rapacity of his fellow-Christian. As one of them said to me one day, "I can conceal my property from a Turk, but my Christian Bishop and my Cojabashi (civil head of the community) knows every corner of my house, and every piastre that I possess. They can squeeze the very last para out of me." 4. These Reports further prove that the charge so frequently made against the Mussulmans, of the forcible abduction and conversion of Christian girls are almost invariably devoid of truth; that such occurrences are indeed so exceptional that they may be almost said not to occur at all. It is shown that in nearly every case the women themselves have gone off with Mohammedan lovers of their own free will, and have refused to return, even under intimidation, to their friends. In cases of conversion, the Turkish authorities, it will be observed, show the greatest desire to arrive at the truth, and to discourage Christians from leaving their faith, and thus giving rise to embarrassing questions. 5. These Reports prove that the Christian populations in Europe are constantly excited to complain by agents and intriguers from Servia, and sometimes from foreign nations, who make the most of the grievances which really exist, circulate the most exaggerated statements concerning them, and drive the people into insurrection against the Turkish Government; and 6. It is admitted that the Christians have great and legitimate cause of complaint on the score of the administration of justice, and that as a rule Christian evidence is not yet received in the Turkish Courts against a Mohammedan, notwithstanding the introduction of new Courts and the orders of the Sultan. In the vicinity of Constantinople such evidence is received; but at a distance from the capital I fear it is still almost invariably, if not rejected, at least not accepted like the evidence of a Turk. This is, no doubt, the greatest and most crying injustice of which the Christian subjects of the Sultan have to complain. I will not attempt to defend the Turkish Government; but I must remind the House of the extreme difficulty of dealing with such delicate questions arising between two opposite and rival religions. When we condemn the Turks, it is surely but just to see how other nations, boasting of a far higher civilization, and of far more liberal laws, act in similar matters. And let it not be forgotten that in the one case there is a fundamental distinction of creed, whilst in the other there is only a sectarian distinction. Religious difference has unfortunately entailed civil incapacity in too many countries. In the Roman States, for instance, a Protestant, I believe, has no civil standing. I am not sure that he could be received as a witness. He cannot hold land; at least, I know that a friend of mine, a Protestant, who married a Roman lady, was not permitted to administer her lands until he had become a Catholic. I mentioned a case last year of a Protestant lady in Rome, who had married a Catholic subject of the Pope, wishing to join her husband who was dangerously ill in England; she was refused a passport except on the condition of taking it in her maiden name. In order to see her dying husband, she consented to these terms, thus being compelled to admit that she had been living in a state of concubinage with him. In Spain, until very recently, a Protestant was not allowed to have decent and Christian burial, and we all know how Protestant converts are treated there. I mention these things to show how difficult it is in a country claiming to be highly civilized, and even in the present century of progress, to eradicate old intolerant principles, to stay religious persecution, and to abolish unjust and oppressive laws which have marked the distinction from time immemorial, not between opposite religions alone, but between differing sects. I beg hon. Gentlemen opposite, who represent Roman Catholic constituencies, to believe that I do not cite these instances by way of making any attack upon them, or of wounding their feelings. I will admit that the Governments to which I have alluded are only executing the laws of their country. I am free to allow, and I do it with a sense of shame, that Protestant, as well as Roman Catholic, Governments are equally open to reproach. I could point, for instance, to the condition of Roman Catholics and of Jews in Sweden and Norway. We well know the years of struggle that it took to induce a British Parliament to concede to our Roman Catholic fellow-subjects an equality of religious and civil rights. Many hon. Gentlemen think that even yet the task has not been accomplished, and that unjust and invidious distinctions still exist. I mention these facts to show, that whilst condemning the Turks for the injustice of their laws and customs as affecting Christians, we are bound, at the same time, to take into consideration the immense difficulties under which the Turkish Government—a Mohammedan Government labours in dealing with these questions. I think that it would be but just on our part, now that we see that the Sultan and his Ministers are anxiously and earnestly desirous of reforming this state of things, to give them our sympathy and support, rather than to overwhelm them with such sweeping condemnations and reproach as have fallen from my hon. Friend this evening.

I shall proceed to establish some of the points that I have laid down, by extracts taken from the Reports of British Consuls and Vice Consuls in European Turkey. If I weary the House by these extracts, I trust that it will pardon me in consideration of the importance of the subject and of my desire that the truth should be known. The Reports to which I would particularly call the attention of the House are those of Mr. Consul General Longworth, of whom I have already spoken; of Mr. Blunt, Her Majesty's Consul at Smyrna, a gentleman who has for many years filled Consular appointments in various parts of Turkey, who is well acquainted with the Turkish and Greek languages, and with the different populations; and who, from his intelligence and ability, is well entitled to speak on these subjects; of Captain Ricketts, who has carefully visited nearly every part of Turkey in Europe, and whose Reports are especially able, interesting, and truthful; and of Major Cathcart. I will first read to the House some extracts from the Reports of Major Cathcart, who was Her Majesty's Consul in Albania. Writing from Prevesa, he says—

"There can be no doubt that the Christian population is now in a far more favourable position than they occupied twenty years ago, when the Pashas were practically irresponsible, and any tyranny or exaction might be practised, so far as the Christians were concerned, with perfect impunity. Each year since the promulgation of the Edict of Gulhané has witnessed a gradual improvement in the position of the Christians; and when the old state of things is understood, the surprise is that the Government have been able so successfully to contend with the prejudices and fanaticism of the Mussulmans as to have been enabled to raise the Christians to the position they now are in. Who, ten years, or even six years ago, would have believed it possible for Christians and Turks to deliberate judicially, as in the Medjlis, side by side, together, each representing their own class? Life and property, unless in some outbreak where the Government authorities are overpowered, are safe; titles to property are recognised; and, so far as the Government is concerned, they certainly attempt to administer equal justice, though no doubt the corruption of the subordinate officials, which extends more or less through every class, paid or unpaid, Turk or Christian, often defeats the good faith and intentions of the Porte. . . . .

"From all I have seen or heard of the complaints of the Christians of this province, I am bound to say that I believe no real oppression, systematically carried on, exists. There are crimes, as in all countries, and, from the maladministration of officials, whether Christians or Turks, culprits often escape punishment; but that the Sultan's Government deliberately apply themselves, on all occasions, to obstruct justice, and to harass and maltreat the Christians, I deny. . . . .

"It occurs, no doubt, that personal friendship or money-bribes occasionally stand in the way of a fair administration of justice; but a re-organization of the tribunals (Medjlis), as recommended, will assist to purge this evil. That the Edict of Gulhané and the Hatti-Humayoun have gradually improved the whole state of the province requires no demonstration. They have given the Christians their present position, who, instead of being trodden down as they were twenty years (or less) ago, now are almost secure from molestation, and loudly assert their rights: but, not having abated a particle of their old antipathy to the Ottoman Government, they magnify everything in the shape of restraint; and any quarrel or disputed question with a Turk (if decided against them) is termed an 'oppression;' while their own conduct, as far as my experience goes, shows them to be often capable of the very crimes they impute to the Turks, who, I think, stand far higher in honesty and general morality than the majority of the accusers. . . . .

"I do not think that the Mohammedans evince any desire to make converts; renegades are generally very badly viewed. I have heard of no instances of conversion by compulsion, nor can I ascertain that anything of the sort has been charged against the Mohammedans in this province for many years. . . . .

"Cases of violence towards Christians are very rare, at least in Epirus; but in Northern Albania, amidst a population such as that of Scutari and Ghegheria, which has never been disarmed, and where the Tanzimat is almost practically inoperative, they occasionally occur, and may always be attributed to personal ebullitions of the old fanatical religious animosity which unfortunately still subsists between the races, and which breaks out on occasions where their interests come in contact, but are in no wise chargeable as the act of the Government, who do their best to smooth these hatreds, which are by no means exclusively confined to Moslem and Christian, but are equally virulent between Greek and Latin. . . . .

"A vast deal of the discontent among the Christians arises from the petty exactions and tyranny of their own ecclesiastics, who exercise an almost unbounded authority, recognised by the Porte, over them. Here, as everywhere else in Turkey, every sort of injustice, malversation of funds, bribery, and corruption, is openly attributed by the Christians to their clergy.

"The lower grades of priests, who are miserably poor, are obliged to labour manually, and to dig and delve in the fields, like any other peasant, for a living, and are usually grossly ignorant; while the upper ranks roll in riches obtained from the vast unaudited funds of the Church, and are generally mixed up in every intrigue by which any money, influence, or position is to be obtained.

"The expected inquiry of the Sadr-a-zam will probably present a plentiful crop of complaints against the Greek Bishops and Priests, and they are already using every means to pacify their angry flocks, and avoid the disagreeable exposures which may ensue.

"With regard to the Christian authorities in the Councils, the heads of communities, &c., they are by no means generally guided by any abstract ideas of justice; and the usual arguments of the suitors have quite as much influence with them as with any Mussulman, who, as a body, I consider to be of far higher principle, more truthful, and more honest than the bulk of the Christian population. . . .

"There is certainly very little fanatical feeling in general on the part of Moslems and Christians towards each other in this province; they even, in certain parts, intermarry, and live on very good terms, each keeping their several fasts and feasts; probably the little bigotry which exists is owing to the independent position of the warlike Christian tribes, and the fact, also, previously mentioned, of most of the Mussulman rural population being the descendants of Christians. The Latin Christians, of the North, however, and the Greeks of Epirus, hate each other with all the virulence of sectarians. Blood feuds still prevail to a great extent, in Northern Albania, especially in Ghegheria, where the population have never been even partially disarmed; and the privilege is, I believe, granted to them, as they have not of late years taken part in the many Greco-Albanian insurrections; added to which—"

he continues—and I beg the attention of the House to this account of those Montenegrin heroes for whom so much sympathy is expressed by some persons in this country—

"they have to guard themselves against the Montenegrins, who continually harass their frontier, robbing, killing, cutting off heads, noses, and ears, and committing at this day all the atrocities charged against the Turks of old. In these countries quarrels have been handed down for centuries in the families of the chiefs and their followers, but in Epirus private vengeances are much more rare."

Mr. Blunt, Her Majesty's Consul at Smyrna, who has held the same post at Adrianople and Salonica, and has been employed on special service in various parts of Turkey in Europe, and who has been in Her Majesty's Consular Service in the East since the year 1832, writes:—

"Notwithstanding the very imperfect and faulty system of administration, the onerous abuses in the collection, by the farmers, of the tithes, the general condition of the province is daily improving; an improvement, however, which is more generally to the advantage of the Christian races, who are, if I may be excused the expression, buying up the Turks. . . .

"Several estates have been purchased by Franks. Amongst the latter there are seven British subjects, who have purchased large farms in the interior, and are cultivating them with success. In the more immediate vicinity of Smyrna, very few Turkish landed proprietors remain; and at the principal villages where the Frank and Christian population resort during summer, nearly all the Turkish proprietors have disposed of their property. . . .

"It is a well-known fact, which no person of experience in the country would or could venture to dispute, that since the destruction of the Janissaries in 1826, from which period may be dated the more rapid decline of Turkish power, and the subsequent publication of the Gulhané Hatti-Sherif, there has been an evident daily improvement in the state of the Christians. I first came to Turkey in 1820; consequently an experience of forty years enables me to express opinions founded on constant personal observation, and therefore fearlessly state that the Christian population, in this part of Turkey particularly, is not only better off, and more considered, than they were five, ten, fifteen, and twenty years ago, but that they feel and know they are so, and they also feel their increasing influence, without using the word 'power;' for the alarm evinced by the Turks makes them the more conscious of it, and the lower orders never lose the opportunity of showing it. On two occasions since my arrival in 1857, the lower orders of Christians of the Greek Church have disarmed some of the military guard sent to keep order during the performance of their Easter ceremonies.

"I know of no inequalities dependent on religion. It does occasionally occur that some old fanatical Turk will call a Christian a Giaour; but generally speaking, in the towns the term is never used, but in the villages it is still used, not only by the Turks, but by the Christians, who from habit will say, 'Our Giaours.' I have heard the same expression used by Greek priests when addressing a Turk. . . . The great majority of persons engaged in trade in the towns are Christians.

"There is no difference whatever in the tenure of land. Both Turk and Christian are upon a footing of perfect equality. It may with safety be asserted that the Christians are much better off than the Turks; for there is no drain upon the Christian population for troops, and the Mussulman and Christian pay the same taxes on their produce. . . .

"Generally speaking, the Christian population have far more reason to complain of grievances emanating from their own clergy and primates than from the Turks. The Christians are not so numerous in Asia Minor as they are in Roumelia, where the evil is more general, and weighs more heavily on the Christian populations. . . .

"With respect to the moral state of the province, it may with safety be asserted that there is less crime than is heard of in provinces of the same extension, in more civilized countries where an effective state of police is kept up; and this is the more extraordinary when the police system is so very defective, where there are so many religious sects, where fanaticism is prevalent amongst all classes, and the population generally go armed, although they are not allowed to wear arms in the towns."

I can entirely corroborate these observations of Mr. Blunt with regard to the state of crime in Turkey, from personal experience of some extent. It may, I believe, be safely asserted that in no country in the world is there less crime than in Turkey. This remark applies not only to the rural districts, but to the great cities, and most especially to the Mohammedan or Turkish population. In the Turkish quarters of Constantinople crime is exceedingly rare. It is prevalent in the quarters of Pera and Galata because they are inhabited by a mixed population, one of the most corrupt and demoralized in the world—of Franks, Greeks, Ionians, and Maltese, the scum and refuse of Europe. My hon. Friend the Member for Galway in reading the statement of Mr. Consul Skene, as to the rarity of crime in Northern Syria, not only threw a doubt upon it, but treated it with some degree of ridicule. I believe what Mr. Skene states to be perfectly true. My own experience, as I have said, completely corroborates it. I have travelled in most parts of Turkey, very rarely accompanied by guards or any number of fellow-travellers, very frequently entirely alone, and even unarmed. I have done so amongst the wildest populations. Wherever the Turkish authority can be enforced I have never met with the slightest accident or experienced the slightest outrage. Of course, when travelling amongst wild tribes which resist the authority of the Government, and upon the outskirts of the desert, a traveller not properly protected by a chief runs the risk of being plundered. I have no doubt my hon. Friend represents a highly moral population; that in Galway agrarian outrages and crimes of any kind are unheard of. But let me ask him whether he would be content to pitch his tent in a field or in the open country in that part of Ireland, and retire to rest with his portmanteau open and his property unguarded, with the expectation of finding any part of it next morning. And yet I have done so night after night in Turkey; ay, even in some of the wildest districts. I have passed many and many a day in Turkish villages. Everywhere I have been received with the utmost kindness and hospitality. But I will tell my hon. Friend this fact, that should the traveller, when about to halt for the night, see a Mussulman village on the right hand, and a Christian village on the left, he will turn to the right and not to the left. If he doubt my word, let him appeal to those who have had any experience in the East. In speaking of the state of crime in Turkey, I exclude, of course, those horrible massacres and outrages which have arisen from an outbreak of religious fanaticism, or have been the result of the rivalry of different races and creeds, and have frequently been incited by, or have owed their origin to, foreign agency. Mr. Vice Consul Blunt, son of Mr. Blunt of Smyrna, writing from Pristina, one of the most unsettled parts of Turkey in Europe, and on the Northern borders of Albania, says—

"A Christian village is in general better formed and cleaner, its yards more stocked, and its inhabitants better clothed than the Turkish.

"During a holiday the state of prosperity of the Christians is seen in relief. It is indeed a rare exception to see a Bulgarian woman or girl who has not an embroidered shirt and apron, a string of gold or silver coins, on her person. . . . . More than two-thirds of the population of Uscup are engaged in agriculture. Improvement is perceivable in this source of industry.

"In the space of ten years—from 1850 to 1860—the value of the tithes has more than doubled, and in the same ratio the prices of every other commodity has increased.

"This state has also given an impetus to trade, and, notwithstanding the absence of good roads, communication between the districts and contiguous provinces has been more regular and connected.

"For a long time the province has been a prey to brigandage: this evil originating from a mountain population unsubdued, and eminently warlike and mercenary, has more sway in the plains. But it may be said that its development has been rather arrested than promoted; Christian churches and monasteries, towns and inhabitants, are not now pillaged, massacred, and burnt by Albanian hordes as used to be done ten years ago.

"On the whole, the undersigned can say, without fear of contradiction, that the province of Uscup is in that happy state of transition from bad to good, perhaps slow in its operation, but on that account not less sure in its effects . . . . The exactions of the Greek clergy and the primates of the towns fall almost entirely on the peasantry.

"On the whole, the conduct of this body is arbitrary, and very frequently cruel. Corporal punishment and confinement in irons are availed of by it in the exercise of Church discipline over its flock . . . . The clergy and primates are as much to blame in this respect as the subordinate authorities (Mudirs and Medjlises). The principal oppressions under which the peasants labour arise from the system of farming the taxes; and it may be said that in six cases out of ten the Christian merchants and the Tchorbadjies, and very often the clergy, avail themselves of it unsparingly . . . . I should state, however, that the change for the better within the last five years is scarcely perceptible, and will only be properly appreciated hereafter when its advantages stand out prominently as from the background of the past. The Christians themselves admit that their general condition is improved, but they think that more ought to have been accomplished by this time. The progress of the work of reconstruction does not keep pace with their fond hopes of something better than they seem ever to expect from their present rulers."

Mr. Richard Abbott, writing from Monastir, the capital of Western Roumelia, says—

"I venture respectfully to state to your Excellency, that from my knowledge of Turkey and its inhabitants, I firmly believe, that notwithstanding any privileges and advantages which may be granted to the Christians, these, although apparently satisfied at first, will never desist from complaining eventually of the Turkish yoke, and making their complaints reach the ear of European Powers, magnifying to a great degree, as is their usual habit, any injustice to which they may have been subjected by Mussulmans.

"The Bulgarians and Greeks have only to look back to ten, fifteen, and twenty years, when with justice they might have complained of the burden of their thraldom; but now, how great is the difference?"

Mr. William Abbott, Acting Consul at the Dardanelles, observes—

"That the masses are far from being happy, is undeniable. The rural population universally complain of their Primates much more than of the Government officials, with whom they are seldom placed in contact, and the Primates throw the blame on the officials. The peasantry, especially in the Christian villages, dare not denounce the tyranny of their Primates, having no hopes of obtaining redress from the officials, and every one is apprehensive of the persecution to which he would be exposed, even in the event of so doubtful an occurrence happening as their getting justice done. For this reason they meekly submit to injustice, as the lesser of the two evils; but they cannot be said to be disaffected towards the Government, entertaining the belief that it is not aware of the extent of their sufferings. . . .

"The spiritual chiefs are invested with a certain extent of judicial power over their flocks, and in the exercise of it, as well as in ecclesiastical matters, money removes every scruple, and all decisions are previously bargained for in the most unblushing manner. The Christians are exposed to many arbitrary exactions on their part. The barefaced simony which disgraces the Greek Church, and the gross ignorance of the clergy, are facts unfortunately too notorious to need any mention of them. The clergy, instead of being in the receipt of regular stipends, are obliged to contribute a fixed annual sum to their diocesans, whose principal aim appears to be that of amassing wealth at the expense of their co-religionists. Although the people are fully aware of these corrupt practices, the clergy maintain great influence over their minds; the various sects are firmly attached to the creed of their forefathers, and are blind to the superstitions which characterize their Churches. . . .

"A large proportion of their grievances is owing to the rapacity of their own authorities, and they undoubtedly suffer more vexations in the collections of the taxes at the hands of their Primates than from Government functionaries. I trace in the conduct of the chiefs of the communities the origin of the failure of the valuable institution of the Medjlis, which was conceived in a most liberal spirit by the Government."

Mr. Charles Calvert, a gentleman who has filled many Consular appointments, and has great experience of Turkey, thus describes the condition of the Christians in Macedonia, writing from Salonica, the capital of the province—

"There are very few Protestant subjects of the Porte in this neighbourhood. Part reside in the town of Salonica, and part in the district of Cassandra. Some are Jews and some are Greeks. All the annoyance they have been subjected to has proceeded from the sect from which they have seceded. The Jewish Rabbis pronounce the 'kheyram,' and the Greek Bishops the anathema, against the seceders, the effect of which is to reduce the objects of the ban to the greatest distress. They are avoided by their relatives and former friends; no one will either buy or sell with them, or give them employment; so that, from actual want of the means of subsistence, they are obliged to recant. In Russia, the Government has made it a penal offence for a Jewish Rabbi to pronounce a ban, but I do not know whether their own clergy are privileged or not to anathematize the disobedient members of their flocks. It would be a great boon were the Porte to prohibit the practice of anathemas and excommunications, for the reason that it interferes with the principle of toleration in matters of faith, which has been established through the benevolence of the Sultan. The Turks may well be excused their fanaticism, when so much bigotry, intolerance, and uncharitableness prevail amongst the Christian sects. The Greek clergy, I regret to have to add, are, for the most part, the greatest opponents to the circulation of the Scriptures amongst their flock, although the latter have generally evinced readiness to receive them.

"The Christian authorities—by which I mean their Spiritual Chiefs and their Primates ('Cojabashis')—are even more rapacious and tyrannical in their small sphere than the Turkish authorities are in a larger sphere. The Bishops and Metropolitans are guilty of many acts of oppression and cupidity towards their flocks, which, if committed by Turks, would rouse a storm of indignation on the part of the Christian sympathizers. Only a few days ago, the Bishop of Vodena, being in want of money, sent to a small hamlet of only forty families in his diocese and extorted 1,000 piastres. The assessed taxes are collected by the Cojabashis, who resort to the harshest measures in order to exact more than is justly due, so as to enable them to appropriate the surplus."

Mr. Holmes, Her Majesty's Consul in Bosnia, who has had equal experience in European and Asiatic Turkey, says, writing from Bosna Serai, the capital of the province—

"Since I have been here I have not heard much of the Mussulman oppression in the town. This, I am told, is partly to be attributed to the expected visit of the Grand Vizier. The troops seem very orderly, and I hear no complaints of their conduct, and altogether—though I hazard any opinion at such a critical moment with hesitation—I think that there is no danger of any outbreak of Moslem fanaticism, provided that the Christians of Servia and Montenegro fail in their constant endeavours to excite the Bosniac Christians to rise, that the progress of revolt in the Herzegovine be checked, and also that the punishment of the chief criminals in Syria be speedy and commensurate with the enormity of their crimes."

Mr. Consul Zohrab, also writing from Bosnia, says—

"The Christian population is socially better off now than it was twenty or ten years ago. The protective laws, though indifferently administered, are still extended over them. Their financial position is worse; twenty years ago, it is true, they had no laws beyond the caprice of their landlords; but their landlords, well aware that to ruin them would be to ruin themselves, allowed them to enjoy a greater share of the fruits of their labour than they can hope to enjoy now after paying their landlords, their taxes, and their priests.

"In the Herzegovina I calculate the peasant's share of his crop at 33 per cent."

Major Cox, who was the British Member of the Montenegro Boundary Commission, and has made several very valuable and interesting reports upon the state of the European Provinces of Turkey, says of their Christian population—

"The general condition of the Christians of Bulgaria must be regarded as prosperous, but the country at large is much infested and scourged by bands of robbers. . . . . . In no part of European Turkey through which I have travelled have I been able to substantiate a single case of forced conversion or of abduction of Christian females by the Mussulmans, and I believe the grievances generally may be regarded as the result of the corruption of the officials and the mal-administration of the laws; in such grievances the Mussulman has a share, though perhaps not an equal share, with the Christian. But there is one grievance peculiar to the Christian; it is that of the non-reception of Christian and Mussulman testimony on equal terms. Could this be rectified, I think that the natural progress of the reforms already commenced would soon leave the Christian population without any peculiar grievance, and give them a secure legal defence against the many petty annoyances of which now they complain.

"In Bulgaria, Bosnia, and the Herzegovine, the Roman Catholics or Latins appear better affected toward the Government and the Mussulmans than are the Greek Christians—a circumstance which I attribute to the fact that the clergy of the former are better educated and of a better class than those of the latter.

"In Bulgaria such is the want of mutual confidence among the Christians, that bitter as is their hatred of the Mussulmans, the Government has no cause to fear a revolt, unless a foreign army march into the country.

"The temper of the population of Bosnia and the Herzegovine is different from that of the Bulgarians. The Mussulmans complain that the Government has given a degree of liberty to the Christians, under the name of reforms, which they did not need, and do not know how to appreciate; on this account, and by nationality, they (the Mussulmans of Bosnia and the Herzegovine) have a dislike to the Turkish Government. Again, the Christians of Bosnia and the Herzegovine have been exposed to the efforts of armed bands of propagandists, who, until a month prior to the death of Prince Milosch, crossed over from Servia; and to those which from time to time are made by the semi-insurgent tribes who inhabit the Herzegovino-Montenegrin frontier. Also the wealthy among the Christians of Bosnia and the Herzegovine are fewer than among those of Bulgaria, and the people as a race are braver."

Mr. Mayers, Her Majesty's Vice Consul at Rustchuk, on the Danube, says—

"I am told that upwards of a hundred individuals availed themselves of the liberty thus given to them by His Highness, and addressed to the Grand Vizier letters of various descriptions, but not one of them was of a nature to indicate that there existed any ill-feeling amongst the Turks against the Christian population, or any tendency on the part of the Osmanlis to oppress the Rayahs."

Mr. Consul General Longworth, to whose great knowledge and experience of Turkey I have already alluded, confirms all the reports that I have quoted. He thus expresses himself—

"My own experience, however, leads me to infer that in many places, and I should say the majority of them, it were vain to look for independence of character in the Christian members of these Councils, not more from the domineering spirit of the Turks than their own disposition, which is crouching and corrupt; corruption and falsehood, indeed, are the chronic infirmities, though in a different degree, of the generation, both Christian and Moslem. Time and education alone can effect a change for the better. The Government may, by its Edicts and Hatti-Humayouns, hasten and advance such a reform; but I question very much whether more evil than good will not arise from proclaiming a social equality which is, in the present state of things and relations of society, morally impossible."

He thus describes the evil influence exercised over the adjacent populations by the Servian Government, and the unceasing intrigues which are resorted to, to keep them in a constant state of discontent and insurrection, thus frustrating every attempt to improve their condition, politically, socially, and morally—

"During the last three weeks, a band of eighteen brigands, divided into three companies, have been wandering about this district. Their chief is a Servian, and they are joined by two or three Rayahs from a Rayah village situated close to the Servian boundary, but the greatest part of them are from Servia. A few days ago a Christian boy was captured by one of these bands, at the village of Schakofza, taken into the hills, and a ransom demanded for him from his father of 32,000 piastres. The police were immediately despatched in pursuit of the brigands, surprised them, and killed two; four of them escaped, of whom two were wounded. The boy was released, and brought to the Grand Vizier at Nisch, where he made the following statement:—'That the brigands in question went, generally speaking, by Mussulman names, although they were really Servians, and not

Mussulmans; that he had heard them say they had received orders to kill a certain number of people near Nisch; that they would also kill his father, and they could not take a ransom for him."

"The boy was sixteen years old, and delivered his statement, as far as I was able to ascertain, in a straightforward manner. As a proof, however, that his evidence was to be relied on, a written list of fifteen Christian names was found on the person of one of the robbers who was killed, and two of the people whose names were mentioned therein have been actually murdered. One of them was a Rayah at the village of Lonnitza, and the other a Christian notable in the village of Dol; both of these Rayahs were known to have lived on friendly terms with the Turks.

"The object for which they were hired appears to me to have been as follows:—To cause a general belief that the Mussulmans were constantly killing the Christians, and to create disturbances throughout those very districts which the Grand Vizier was visiting, so that it might hereafter be said that even the presence of the Grand Vizier was not sufficient to prevent disorder and murder. Be this as it may, the same secret agency that has directed bands of robbers to enter Bosnia from Servia; the same policy that in Servia stoops to any method, however base and degraded it may be, provided that it can increase the hatred between Mussulmans and Christians, has most probably directed these banditti to invade the district of Nisch, and has furnished them with the means of committing the most cold-blooded assassination.

"Servia is guaranteed against any armed movements on the part of the Porte; is she, on that account, to be allowed to continue to spread the flames of revolt throughout the Turkish provinces adjoining her frontier? If such a line of conduct on the part of Servia be suffered to exist any length of time, I do not see how the Porte can (in these provinces at least) enter upon and carry out that work of reform which is now so seriously demanded of her by the Powers. It is, indeed, surprising that a province which has suffered so much during the infamous administration of Zeinel Pasha, and which has been the scene of foreign intrigue for so long a period, should be found to be, generally speaking, in so tranquil a state. The reason of this, however, may be attributed to the total indifference, or rather unwillingness, of the greatest part of the population to change their present condition. It is fortunate for the Porte that Zeinel Pasha has been, at last, removed; that a man like Osman Pasha has been appointed as Vali; and that the Grand Vizier has been sent to redress those grievances which demand the most immediate attention."

Mr. Vice Consul Blunt, writing from Uscup, in Northern Albania, gives the following remarkable account of the misconduct of the Greek Clergy and Primates:—

"The charges against the Greek ecclesiastics were also of a very serious nature. The Archbishop of Sciarkioi was found guilty of receiving and giving bribes, of levying unjust fees on his flock, and, what is worse still, of having violated a Bulgarian girl. Charges of a like gravity were also proved against another priest of Sciarkioi. The Archbishop was dismissed from his diocese, and sent to Constantinople, there to be dealt with by the Porte. The other priest has been condemned to the galleys for life.

"The priest of Lashotnitza, in the district of Leskowatz, one of the chiefs of the conspiracy against the local Rayahs, and to which I alluded in my report to your Excellency of the 7th instant, has been found guilty of having taken a very prominent part in the murder of the Kogiabashi Christo, and has in consequence been sentenced to be hung.

"There were many charges of oppression and fraud against the farmers of the taxes: most of them were carried through the Court. Against Velko, a Bulgarian, 170 'arzuhals' (petitions) were lodged; and against Rangheli and Sovanco, both Bulgarians, 239!"

The following extract from the report of Major Cathcart serves to show how differently a case of injustice and oppression is viewed when committed by a Christian and when committed by a Mohammedan:—

"In all cases of a Turk taking the law into his own hands, it is always termed an 'oppression,' and put to the Government account; but the reverse case, when a Turk may suffer at a Christian hand, is considered quite natural—as illustrated lately by an Ionian at Arta, who dragged an Ottoman subject, tied to his horse's tail, through the streets to the Vice Consulate—a deed which, if perpetrated by a Moslem, would have rung through the whole district as a Government 'oppression:' but, being the act of a Christian, is quite differently interpreted by his co-religionists; and, in consequence, I was asked to mitigate the punishment inflicted."

In order not to confine myself to official sources, I have consulted persons who are in an entirely independent position. Allow me to quote a passage from a letter dated March 10 of this year from Mr. Abbott, a merchant established at Salonica—

"We have just had a change of Governor General of Macedonia. Husni Pasha, who had been three years governing this fine province with great justice, and having extirpated brigandage, making the whole province as safe as any district of France or England, has been removed to Janina, that is, to the government of Epirus, where, it appears, his excellent administrative qualities are required. Hakif Pasha has come from Epirus to Macedonia. We had him four years ago, before Husni, for a short time, and, from what we then saw of him, have every reason to expect he will not be inferior to Husni. Such appointments do honour to the Porte.

My hon. Friend the Member for Galway has quoted somewhat largely from the despatches of Lord Stratford de Redcliffe, as if the opinion of Lord Stratford entirely confirmed his views in regard to the condition of the Christians and the Turkish Empire in general. I will venture to affirm that if he had quoted fairly and impartially from those documents, the House would have seen that the very reverse is the case. Lord Stratford confirms the reports from which I have troubled the House with so many extracts; and it is most important that the House should be made acquainted with the opinions of one who can speak with unexampled experience, and who has had more opportunities of examining the real state of the Turkish Empire—has had more intimate acquaintance with its leading statesmen—has more thoroughly and completely investigated this complicated and difficult Eastern question than any living man. Amongst the despatches laid upon the table of the House in 1861 will be found one addressed by Lord Stratford to Lord Malmesbury, dated the 22nd of April 1858. In it are the following remarkable passages; the whole despatch (which I cannot now read) deserves the serious attention of hon. Members:—

> "It is in these respects that a motive power capable of surmounting the resistance which in no country fails to oppose the establishment of great innovations, however salutary, is wanted. There is no lack of authority on the Sultan's part. The latent resources of his Empire are immense. His revenues are increasing. His people would cheerfully conform to changes founded on justice, and calculated to protect as well as to promote the operations of industry. The difficulties are principally moral, the results of religious prejudice of defective education, and of inveterate abuses in every administrative department. But Europe is at hand, with its science, its labour, and its capital. The Koran, the harem, and a Babel of languages are, no doubt, so many obstacles to advancement in a Western sense. But the changes already in practice augur well for further improvement. Would it be reasonable to despair of a country where, in a comparatively short lapse of time, a regular army has been substituted for the janissaries, where the influence of the priesthood has been effectually controlled, the arbitrary power of the provincial governors extinguished, the application of the sacred law to judicial procedure greatly modified, the employment of Christians in the service of a Mahometan Government materially extended, the objections to borrowing on interest practically set aside, and liberty of conscience in religious matters solemnly proclaimed.
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> "Surely with these miracles in our recollection, and with a knowledge, derived from history, of the slow, interrupted process of reform in our own and other countries, we should not lightly abandon the hope we have embraced of Turkey's regeneration. Bearing in mind the additional assurance of its progress, traceable in such incidental facts as the command over Turkish troops intrusted during the late war to British officers, the Sultan's subscription in favour of the sufferers in British India, and the offers of auxiliary levies for Her Majesty's service, proceeding from Mussulman chiefs in Turkey, we may continue, even with some degree of confidence, to ground our policy in the Levant on that expectation.
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> "Nearly two years and a half have now elapsed since the promulgation of the Sultan's Hatt, and not much less since the ratification of the Treaty of Peace. The importance of the charter may be estimated by the fact of its being applicable to all the Sultan's subjects alike, whether Mussulmans or non-Mussulmans. It comprises, moreover, all the departments of administration, at the same time that it confirms all the old and existing privileges from the earliest times to the latest, including the Gulhané and the Tanzimat. Though some of its provisions are of special application to those who were formerly designated Rayahs, others in greater proportion affect the entire population of the Empire. Its pervading principles are the reform of abuses, the fusion of classes, the development of resources, liberty of conscience, and improved intercourse with foreigners irrespective of religion. Its ultimate object is the conservation of the Empire, together with the security of persons and property."

Does Sir Henry Bulwer, the present Ambassador at the Porte, differ from Lord Stratford? He has surely not spared the Turkish Government when they deserved condemnation. My hon. Friend the Member for Galway has quoted some strong passages in that sense, and has relied upon them to establish his indictment against Turkey, although he does appear to charge Sir Henry Bulwer with an undue leaning towards the Turks. Sir Henry's reports on the state of Turkey are amongst the most searching and the most suggestive that have been sent to the Foreign Office. Let us see what is his opinion of the condition of the Christians and of the state of the Turkish Empire. He says, writing from Constantinople, July 26, 1859—

> "Whether the Turks have done a great deal, or very little, depends on the point of view from which we look at the subject. If we compare Turkey as she is with what she was twenty-five or thirty years ago, the change is marvellous. Men who lived at the former period tell me, every day, they can hardly credit the state of things they see now, when they remember what existed in the days of their youth.
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> "On the other hand, when you compare Turkey as she is, to what she ought to be, in order to stand side by side on equal terms with the first and most civilized States in Europe, the progress she has to make is so immense that that which she has already made appears almost insignificant.
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> "In no countries are great reforms made, especially when they involve social changes, except as the generations which grow up in one set of ideas have been replaced by generations which grow up in another; but in this country especially, a country composed of various races with various religions, each sect being exclusive and fanatical, and one race especially being the dominant one—in a country, moreover, which has always hitherto been ruled by a loose and undisciplined system of government—any change that would suit our notions of justice, government, and law can only be a work of great difficulty and considerable time."

In a despatch of the 24th April 1860, he says—

> "In the mean time I must impress this fact in

the strongest manner on Her Majesty's Government—viz., that there are at the present moment at the head of affairs three or four men, equally remarkable for their integrity and ability, who have risen to their exalted position solely on account of their integrity and ability; and I feel confident that your Lordship will agree with me, that when men without any other advantage than that of integrity and ability rise to the first place in a Government, whatever in other respects that Government may be, the State which such Government represents cannot be considered lost beyond redemption.

"Such a symptom in Turkey, though perhaps the only startling one I could give in the history of its improvement, is also, perhaps, the very best by which such improvement could be illustrated."

Again, writing on January 18, 1861—

"I have always been hitherto of opinion, that though all that might be desirable has not been done in the way of change, there is not on record a country in which so much has been changed, notwithstanding great difficulties, as in Turkey during the last twenty years; and my conviction in this respect is still what it was."

I think that I have now shown that all the reports we have received from the East, whether from Her Majesty's Representatives or from Her Majesty's numerous Consuls and Vice Consuls, entirely agree in their statements, and completely corroborate what I have ventured to state to the House. To insinuate that there has been systematic collusion between men of such high character and such untarnished honour, to say that they have wilfully deceived Her Majesty's Government, and that they have told that which they know to be untrue in order to please the Foreign Office, or to support any particular line of policy, is so monstrous an accusation that it cannot merit the serious consideration of the House, and scarcely deserves either refutation or notice in an assembly of gentlemen.

To go one step further. It would seem that some people think the Turkish Government more liberal than an English Government in certain respects. I received a few days ago an interesting circular on the subject of the cultivation of cotton in Turkey, signed by the eminent firm of Neil Brothers & Co. They describe the great and liberal encouragement given by the Turkish Government to the cultivation of that most important article of produce, the concession of lands by the Sultan for the purpose, and the attempts successfully made for the introduction of seed into Turkey from other parts of the world. After praising the Turkish Government for their great liberality they add these words—

"Certainly of no other competitor can this be said. Nor have those who would encourage the cultivation to deal with an obstinate and impracticable Government, like that of India."

I regret that my right hon. Friend the Secretary of State for India is not in his place to vindicate the Indian Government, and to show that it, at least, is not so far behind the Turkish Government. I have the authority of my hon. Friend the Member for Carlisle (Mr. Potter) for stating that the increase in the cotton cultivation of Turkey during the last year has exceeded that of all other countries. My hon. Friend has fallen into the same error to-night as others have committed in this House. He has talked of Christians as being unable to purchase land in Turkey, and has pointed out that, consequently, its cultivation cannot be developed. But the law of Turkey does not differ with respect to the possession of land from the law of this country. A subject of the Sultan, whether Christian or Mohammedan, may hold land; a foreigner cannot. But even in the case of a foreigner, the Turkish Government has acted with great liberality, as the circular which I hold in my hand shows. By several ingenious fictions of law, which it is not necessary to describe, foreigners are virtually enabled to possess land, and I have never heard of an instance in which they have been deprived of it. But my hon. Friend has contradicted himself, when having in one part of his speech declared that Christians could not purchase land, in another he has said that they are gradually buying out the Turks.

Before I conclude, I must say a few words on the finances of Turkey, which have been somewhat rudely assailed. The Turkish Government, as it will be remembered, being desirous of introducing a good system into the administration of their finances, and of removing the abuses that existed, requested the English Government to afford them their advice and assistance. This request was willingly complied with, and two gentlemen in the public service, of great experience and capacity, Lord Hobart and Mr. Foster, were sent to Constantinople for that purpose. Perhaps no stronger proof could be afforded of the progress made by the Turkish Government and their desire to bring their institutions more into accordance with the civilization of Europe, than their willingness to submit to representatives of the Governments of England and France (for the French Government also sent a Commissioner, the Marquis de Plœuc, a gentleman of considerable knowledge and ability) the whole of their finances, and to make those Governments acquainted, without reserve, with their resources and present condition. I will venture to affirm that no Government has ever taken a more liberal course. I will venture to assert that Lord Stratford de Redcliffe, in his most ardent desire for the reform and improvement of Turkey, had never dreamt that a Turkish Ministry would thus voluntarily appeal to foreign Powers and lay bare to their agents the condition of the whole finances of the empire. Lord Hobart, Mr. Foster, and the Marquis de Plœuc had access to all the books, accounts, and returns of the Government. They were treated with unreserved confidence. Having examined with great care the financial condition of the State, they made certain suggestions as to the method of keeping the public accounts, as to imposing new taxes and discontinuing the collection of others, as to the mode of dealing with the revenue, and as to the payment of the debts and consolidation of the liabilities of the Government. Some of those suggestions have already been acted upon with much success. Others, I am convinced, will, in the course of time, be carried out. One part of the advice they most strongly urged upon the Porte was the withdrawal of the paper money, which had been greatly depreciated, and the constant fluctuations in which caused great embarrassment, not only in all commercial operations, but in the daily monetary dealings of the people. They also suggested the consolidation of the floating debt. For these purposes they recommended the raising of a loan in England. The Turkish Government accordingly negotiated a loan in this country, for nominally £8,000,000, but yielding only £5,000,000. I will pass over any personal charges that may have been made against me with regard to that loan. I feel sure that the House will not think it necessary for me even to notice them. The question I have to deal with is simply this:—Has the money been applied to the purposes for which it was raised, and in accordance with the pledges given by the Porte to those who advanced it—that is to say, to the withdrawal of the "caimé," or paper money, and to the consolidation of the floating debt? Now, I repeat what I have declared before, that it has been, every farthing of it; and that the assertions so confidently made in this House, and in the press, that any part of it has been diverted to other purposes—that it has been used by the Turkish Government in subduing the Montenegrins, and for oppressing the Christians, are utterly unfounded and untrue. I have laid upon the table of the House the Reports of Lord Hobart, who was especially sent out by the English Government at the request of the English bondholders and of the Porte, to superintend the application of the proceeds of the loan. They show that the Turkish Government have most faithfully and honestly adhered to their engagements; that every farthing of the loan has been devoted to the purposes for which it was intended; that the mode of its application has given entire satisfaction to the commercial classes, native and foreign; and that no less a sum than £9,000,000 sterling of paper money—that is, the whole paper currency of the empire, has been withdrawn from circulation in the short space of a few months. Sir, I will venture to affirm, that there is no nation in the world that can point to such a result, to an operation of this magnitude and importance, carried out in so short a time with such success, with such liberality to the holders of the depreciated coinage, and with such general satisfaction to all classes. It is surely unparalleled. It is true that the amount of the loan raised in England in 1862 did not prove sufficient to consolidate the whole of the floating debt: a further sum was required. By Lord Hobart's advice, I believe, the Turkish Government determined to contract another loan, which has been raised partly in France and partly in this country. That loan has been negotiated on even better terms than the previous one, thus furnishing a complete answer to those who assert, that had the Reports of Lord Hobart and Mr. Foster been published earlier, the previous loan would not have been obtained. So far from such having been the case, these Reports have increased the confidence of the public in the resources of Turkey. Moreover, these documents furnish the strongest possible evidence of the earnest desire of the Turkish Government to be guided by European advice in the improvement and reform of the administration of their finances. They show how much has already been effected in that direction, whilst at the same time they point out that there is still much to be done. I would wish especially to impress upon the House that the Christian subjects of the Porte—the Greek, Armenian, and Christian merchants—will chiefly profit by these great reforms. The principal trade of Turkey is in their hands; and however useful or advantageous these financial operations may prove to the Turkish population in general, it is they who will principally reap the benefit.

Now, let me ask the attention of the House to the increase of Turkish trade as a proof of increased prosperity, and of an improved condition of internal administration. In 1831 the Turkish import trade from England amounted to £888,684; in 1839 it had increased to £1,430,224; in 1848 to £3,116,365; and in 1860 to £5,639,898. The export trade had increased no less rapidly from £1,387,416 in 1840, to £3,202,558 in 1856, and £5,505,492 in 1860, the Danubian Principalities included. In fact, the trade with England had increased in twenty-three years 635 per cent. The results as regards France have been no less remarkable. In 1833 the imports from that country amounted in value to 16,730,000 francs; in 1856 they had risen to 91,860,000 francs. The exports in 1833 were only 874,000 francs; in 1856 they had risen to 131,546,258 francs. The revenue of Turkey shows a no less extraordinary result. In the time of Sultan Mahmoud it amounted to only £3,000,000 a year; in 1850 it had risen to £7,000,000: it has now reached £15,000,000, and there can be little doubt, that if the present course of reform and improvement is persevered in, the revenue, owing to the vast resources of the country, may be even doubled without inconvenience or over-taxation. My hon. Friend has endeavoured to explain away these startling facts, which admit of no denial, by saying that the Turkish Government can go on getting money, because it can plunder and rob the people with impunity, and that it does so whenever it is in want of it. But my hon. Friend has surely spoken without reflection. Such a process must have an end. No Government, however despotic, can go on robbing the people of what they possess. If it did, the result would be not a rising, but a falling revenue; not an improving but a decaying trade; not prosperity, but penury, bankruptcy, and misery. We have in Turkey, as I have shown, proofs of a daily-increasing revenue; consequently, of an increasing population. How can excessive taxation account for this state of things? But in Turkey the taxation is considerably less than 10*s.* a head, whilst in this country and France it amounts to considerably more than £2. These are facts which cannot be contradicted. But, lest I might be misled with regard to these proofs of progress by information given from what my hon. Friend seems to insinuate are interested sources. I have sought an independent and unbiassed authority. I requested Mr. Gilbertson, who has been for some time the General Manager of the Ottoman Bank in the East, who has been employed in many of the financial operations of the Porte, and who is a gentleman of great experience and ability, to give me his opinion upon the state of Turkish finances, and upon the improvements which the Turkish Government has introduced. I will not trouble the House with the whole of his letter, but I will read from it one or two paragraphs. He says—

> "The Public Works Commission elaborated a system for the formation of roads, a Stamp Act was promulgated, and a licensing system framed, productive duties on tobacco and salt were established, the police force of the capital was increased in efficiency and diminished in cost—a measure having its fiscal value. Under Kiani Pasha the custom-house abuses rapidly diminished, and the revenue benefited proportionally, for the Crown could now do away everywhere with the pernicious system of farming the customs revenues. It is not pretended that these and other reforms have abolished all abuses in the improved administrative departments; many, and crying ones, notoriously exist, but the improvement is enormous, although its real extent and importance can only be fairly estimated by those intimately acquainted with the habits and prejudices of the Eastern people."

It is, no doubt, perfectly true that these reforms could not be introduced, these loans raised, and these operations carried through, without adding to the public debt of Turkey. But by a wise provision a sinking fund has been created, by which this foreign debt will be gradually diminished one-fiftieth every year until it will be entirely extinguished in fifty years. So elastic are the revenues and resources of Turkey that I cannot doubt, that if the Porte continues as it has begun, it will experience no difficulty whatever in meeting its obligations. It must be remembered, to the great honour of Turkey, that she has never failed to pay her debts with the greatest punctuality, and that the credit she may command in the market, and the power she has of raising money, is not to be attributed, as my hon. Friend would lead the House to believe, to the undue assistance of the English or any other Government, but to the simple fact of people being willing to lend money to a State which has hitherto faithfully discharged its obligations. It is very easy to reproach the Porte with irregularities, and with a bad system of taxation. But the difficulties with which the Turkish Government has to contend are far greater than hon. Gentlemen are probably aware of. One of the greatest of their difficulties will be found in what are called the capitulations. By these capitulations, or conventions entered into with European Powers, the subjects of these Powers are placed in an exceptional position. They claim certain rights and privileges—amongst them those of not paying Turkish taxes, and of not obeying Turkish laws. I will not say that these capitulations were not at the time necessary for the protection of foreigners, and that in some respects they are still so. But they are, at the same time, the cause of infinite trouble and embarrassment, not only to the Turkish Government, but to the Representatives of the Powers whose subjects claim the benefit of them. Let me mention a case to illustrate this as regards the imposition of just and necessary taxes. Amongst the taxes which the Porte was recommended to raise in lieu of other taxes which were for some reason or another objectionable was one upon horses and, I believe, donkeys too. The Representatives of some of the great Powers objected to the payment of this tax by their subjects, on the ground that it was a personal tax from which they were exempted by the capitulations. As some of the Representatives would not allow it to be levied, of course the others were under the necessity of refusing also. As the Porte did not consider it just to levy a tax upon Turkish subjects which foreigners refused to pay, the scheme dropped, and thus a considerable and legitimate source of revenue was abandoned.

My hon. Friend has denounced the large expenditure of the Sultan himself as an instance of the reckless extravagance of the Turkish Government. He has told us of the vast sums lavished by the late Sultan upon his palaces. It would have been only just and fair to the present Sultan if he had added that His Majesty has, of his own free will, renounced nearly £25,000 a month of his civil list, and has generously paid a large amount of the arrears owing to the troops out of his own pocket. He has, moreover, insisted upon various retrenchments, and has endeavoured to inculcate doctrines of economy on the officers of his household and his Ministers. Whilst these retrenchments and reforms are being made in the administration of the finances, the Turkish Government are not going back from that liberal commercial policy which has always characterized Turkey; on the contrary, they have continued in the course of free trade, and have recently concluded treaties with this country and other States, placing their import and export duties upon a very low scale, and encouraging the most liberal commercial intercourse with the rest of the world. Turkey is already beginning to feel the advantage of this extension of her free-trade policy. and I have no doubt that she will soon reap benefits even greater from it. My hon. Friend the Member for Rochdale (Mr. Cobden) should be the last man to run down and denounce those who have been amongst the first and most apt of his pupils.

In considering, as we have done this evening, the condition of the Turkish Empire, let us remember that we always hear the worst side of any grievance of which the Christians may have to complain. European Diplomatic Representatives and European Consuls have constituted themselves the advocates and defenders of the Christians, and very few cases of oppression escape their vigilance, and are not brought to the notice of the Porte. The Turkish Government and Turkish local authorities are compelled to submit, however unwillingly, to their constant interference. There is no doubt that too often it is justified by the case itself; but very frequently the grounds of complaint are very slight indeed. The Christians have, unfortunately, got into a habit of seeking foreign interference to save themselves from doing that which is even right, such, for instance, as paying a just debt, or even for the sake of revenging themselves upon a Mohammedan. This state of things naturally leads to very great inconvenience, and often to very gross injustice. I remember a former Turkish Minister for Foreign Affairs, who was well known for his wit and ready humour, taking an opportunity of practically showing the absurdity of pushing this interference too far. The British Ambassador had sent a dragoman to the Porte to remonstrate on the subject of some grievance which had been brought to his notice by a Christian community. The Minister listened with attention to the remonstrance, and promised redress. The dragoman was about to leave the room, well satisfied with his success, when the Minister for Foreign Affairs requested him to remain a little longer. "I have," said he, "a very grave case to bring before Her Majesty's Ambassador. His Majesty the Sultan has received a letter from England which informs him that the English people are labouring under the most grievous injustice; their bread is actually taxed; and although there is abundance of corn in neighbouring countries, yet they are not allowed to bring it into England, but are compelled to pay a great price for their loaf, and are in consequence in danger of starving." He pulled from his pocket the letter, describing in very eloquent and touching terms the suffering and misery of the English people, and denouncing the unjust and iniquitous laws which caused them. That letter was signed "Richard Cobden." "The Sultan," continued the Minister, "takes the most lively interest in these poor people; he is deeply touched by this account of their misfortunes. Will you have the goodness to represent the case to the Ambassador, and beg him to inform Her Majesty very respectfully that the Sultan would be extremely gratified if she would repeal these bad laws, and permit her subjects to eat cheap and untaxed bread?" After all that has been said of the present state of Turkey, I would ask hon. Members to contrast it for one moment with her condition not many years ago. Then rebellion and insurrection were rife from Belgrade to the Persian Gulf. Ali Pasha, of Janina, had successfully resisted the Government of the Sultan, and was at the head of an army. The Pasha of Egypt had not only thrown off his allegiance, but threatened to march upon the capital itself. The Mamlook Pashas of Bagdad were almost independent. In Asia Minor the old feudal chiefs, the "Dereh Beys," as they were called, and in Turkey in Europe the various hereditary Pashas, refused to pay tribute or to acknowledge the authority of the Sultan. Russia was threatening the Turkish Empire from the north, and had already deprived it of some of its provinces. The Janissaries, a bold and disaffected band of armed men, constantly threatened the life of the Sovereign himself, and committed acts of the most grievous oppression both upon the Christian and Mussulman populations. Now, Albania and the formerly semi-independent tribes of Western Turkey have been reduced to subjection and are under the control of the Porte, pay their taxes, and furnish troops. Not only is the Viceroy of Egypt no longer in open hostility to the Sultan, but he is anxious to draw nearer to his Sovereign, and to re-establish the most intimate and friendly relations between that province and the rest of the Empire. We have recently heard of the Sultan's visit to that part of his dominions, of the lively interest that he manifested in its prosperity, and of the enthusiastic reception with which he was greeted by both Christians and Mohammedans. The independent Pashas and Dereh Beys have long since been reduced to subjection, and obey the laws of the Empire. The advance of Russia has been stayed, and she no longer threatens the Turkish Empire with invasion or war. The cruel and lawless Janissaries have been utterly destroyed, and in their stead the Sultan has a large and well-appointed army. As Sir Henry Bulwer observes, these changes are indeed "a miracle," and no other country can show the like of them.

I have now pointed out what Turkey has done. I think any impartial man must admit that she may hope for a prosperous future if her statesmen persist in a wise policy, and continue earnestly in the path of improvement and reform. Now, let me ask my hon. Friend what he is aiming at. I confess, that having very carefully listened to his speech, I am at a loss to understand what policy he recommends us to pursue with regard to Turkey. He has proposed no Resolution to the House. Does he wish to break up the Turkish Empire altogether, and deliver over its spoil to others? If so, the task, I can assure him, is not so easy a one as he imagines. I pointed out some time ago, when a debate upon the subject of Turkey took place in this House, that a large portion of the population of Turkey in Europe, probably at least one-third—Mr. Longworth assures me that his own inquiries lead him to believe still more—are Mussulmans or Turks. These constitute the great bulk of the landed proprietors. Now, I would beg the House to consider what handing over the European Provinces of Turkey to the Christian population means. It means either the expulsion or the extermination of every Mohammedan. There is no disguising the fact. I have heard it asserted myself over and over again by those who advocate the rising of the Christians against the Turks, and by those who have taken part in insurrections in Turkey. It is not an easy thing to deprive 4,000,000 of human beings of their property or of their lives, more especially when they are of a warlike and brave race, are inured to arms, and have to deal with a degraded and pusillanimous population such as the Christians at present undoubtedly are. If you wish to incite them to this struggle for life or death, reflect first upon the inevitable consequences. Hitherto the Turkish Government, which is after all a long-suffering, a humane, and a liberal Government, has not had recourse to the supreme measure for its defence. But suppose the Sultan, pressed on all sides by foreign Powers, the Christians brought into revolt, and his very throne threatened, were to call upon his Mohammedan subjects to make the last great struggle for their property and their lives, what would be the result? Why, I do not hesitate to say that the most terrible massacre that history can record would ensue. Thousands and tens of thousands of Christian lives would be sacrificed. Some European Power might perhaps interfere to stay the slaughter, but no interference could take place until it had reached a climax too horrible to contemplate. And could we blame the Turks for making this last great struggle when everything they hold sacred and dear was at stake? Would not the same thing take place in any other country of the world where one part of the population sought to expel or destroy the remainder, from which it differed in race or creed? I repeat that in the East Christian supremacy means Mohammedan extermination; and the Mussulman knows it full well.

But let us suppose that the Christian population, having expelled or exterminated the Mohammedans, were left to govern themselves. Would they succeed better—would they be more quiet, more tolerant, more forbearing to each other? I doubt it. The Armenian hates the Greek as much, if not more, than he hates the Mohammedan. The Greek hates the Armenian as much as he hates the Catholic. The Catholic hates them all. Each sect is ready to persecute and destroy the other sects. Has my hon. Friend been at Jerusalem at the time of the celebration of Easter? Has he seen the horrible and scandalous scenes which take place in the very precincts of the sepulchre of our Lord? Has he seen Catholics, Armenians, Greeks, and Copts slaying each other on the spot where, of all places on the face of the earth, one would believe that Christian men would forget their differences and seek a holy peace? Has he seen a Mussulman guard called into a Christian Church to divide and calm these enraged combatants? Has he seen the dead bodies of these believers in Christ laid out in ghastly array by Mohammedan soldiers? If he has not, let him go himself to Jerusalem, or read the accounts of those who have witnessed these sad and degrading spectacles. I would specially refer him to the graphic picture given by my friend Mr. Curzon of these scenes, in his interesting and instructive work on the Monasteries of the Levant. Did my hon. Friend read a few days ago a letter in *The Times* newspaper describing the Eastern ceremonies in the Church of Jerusalem? If he did, he must surely have blushed for shame at the conduct of those who, pretending to the title of Christians, had assembled to worship at the shrine of Him who had taught peace and good-will amongst men. What must the Turk, with his reverence for holy places and his simple faith, think of these blasphemies and these profane mummeries? The writer of that letter actually condemns a Turkish officer who, half in jest, half in earnest, endeavoured to separate with a whip those engaged in unseemly and unholy combat. Surely this mode of dealing with these fanatics was, after all, more humane and more tolerant than the use of the sword and the bayonet, and the discharge of volleys of musketry into a helpless crowd of men, women, and children. Perhaps the hon. Member for the King's County (Mr. Hennessy) can describe to us how Christian and civilized men recently treated, in Christian churches, a congregation whose offence was the singing of patriotic hymns and the offering up of prayers for the liberation of their country; how the most holy places were stained with blood, and how the ferocious Cossacks dispersed with their lances the unhappy crowd. And how would the Christians, let me ask, treat the Jews, who form no inconsiderable portion of the population of Turkey, and are treated with humanity and liberality by the Turks? It was only last Easter that the Turkish authorities at Smyrna, perhaps the most civilized city in the East as far as the Christians are concerned, had to interfere to protect the Jewish inhabitants from being murdered by Greeks and Catholics. I hold in my hand a slip cut out from a Constantinople paper—not a Turkish paper, remember—giving the account of an outrage committed at the same period upon the Jews in a village on the Bosphorus, which might have led to fatal results, had not the Turkish authorities interfered. You will remember that Mr. Longworth has told us that the Jews of Belgrade lived for quiet and protection amongst those Turks whom the Servians now denounce for their cruelty and intolerance. I have read to you the descriptions given by our Consuls of the oppression and the injustice committed by the Greek Bishops and Primates upon their own people. My hon. Friend says that they do this with the support and at the instigation of the Porte. He is, I can assure him, entirely mistaken. So far from this being the case, the Porte has endeavoured to interfere and to restrain them. But when it has done so, what has been the consequence? Why, the clergy appeal to the Russian Government, whom they look upon as their protector, and a fresh cause of grievance is raised against the Turkish Government for interfering with the liberties and privileges of the Greek Church!

Whatever may be the bad government of the Turk—and I admit and condemn its shortcomings as much as any man—it must at least be allowed that they are the only people who can maintain anything like order amongst the many different opposing sects and races which constitute the Turkish Empire. Does my hon. Friend think that the people of Turkey would be any happier or more prosperous under Russian rule? Not very long ago 11,000 Bulgarians were induced by Russian agents to leave their native country and to settle in Russia. They were so inhospitably received, they were exposed to so many hardships and to so much oppression, that out of this number 4,000 died; the remainder took the first opportunity of returning to Bulgaria, although they had to abandon everything, and to cross the frontier in a state of absolute destitution. The Turks received them kindly. I have heard from eye-witnesses, that when they found themselves again in their native villages and fields, these poor people threw themselves on the ground, and, kissing it with affectionate ardour, exclaimed, "God be praised, this is our own earth!" What, let me ask, takes place in Circassia and amongst the independent tribes of Mohammedan mountaineers when they once get under the sway of Russia? In the Crimea there was once a prosperous, happy, and industrious Tatar population. Their country was conquered by Russia. What became of them? Let an eminent traveller, well known to most hon. Members of this House, tell the tale. I quote a passage from Mr. Oliphant's *Shores of the Black Sea.* He writes of the Crim Tatars—

> "It was melancholy to think that the inhabitants of these lovely valleys were gradually disappearing under the blighting influence which Russia appears to exercise over her Moslem subjects. Of late years the Tatars have been rapidly diminishing, and now number about 100,000, or scarcely half the entire population of the Crimea. Their energy, too, seems declining with their numbers. Whole tracts of country susceptible of a high state of cultivation, and once producing abundantly, are now lying waste; their manufactories deteriorating, their territorial wealth destroyed, their noble families becoming extinct, their poor ground down by Russian tax-gatherers, and swindled out of their substance by dishonest sub-officials."

Remember, it is this very Russian Government which is continually denouncing the Turks for ill-treating their Christian subjects, and which is constantly interfering for their protection. These exiled Tatar tribes from the Crimea and the mountains to the east of the Black Sea seek an asylum and hospitality in Turkey. They are not refused to them. On the contrary, they have been received, fed, and clothed, and have had lands given them. In Asia Minor are several flourishing communities of Cossacks, who have taken refuge from Russia, and are now amongst the best subjects of the Sultan. Whilst we condemn the treatment of the Christians by the Mohammedans, let us at least make some allowance for the feelings of the Turks when they see the sights that I have described. Do you think the Mussulman inhabitants of Bulgaria can behold, unmoved and unconcerned, the long lines of their co-religionists, deprived of their all, and well-nigh of their lives, slowly crossing the frontiers of Servia, driven forth as beggars and outcasts from the lands which they have inherited from their forefathers, merely because they happen to differ in faith from those amongst whom they sought to live?

My hon. Friend has denounced, in no

measured terms, the fanaticism of the Turks. He has used language which I confess to have heard with great regret. Let me ask him whether he does not think that he himself will be responsible for a good deal of that fanaticism. Will not such speeches as he has made this evening tend to awaken or increase that fanatical spirit which was gradually dying out? The debates in this House reach nearly every part of the world. They are translated and noticed throughout the East. We have a large Mohammedan population in India. They may think, from reading what has fallen from my hon. Friend, that we Christians are prepared to treat with intolerable injustice those who profess Mohammedanism, that their rights and liberties are not to be respected, and that as we advocate the expulsion and extermination of the Mussulmans of Turkey, so their turn may come next, and that they are to be driven from India. I have often heard it said, by persons well acquainted with the populations of India, that speeches made in Parliament had no little share in bringing about the deplorable events which took place a short time ago in that country. Moreover, will not these speeches tend to excite the Christian population, to lead them into bloody and hopeless struggles, and to encourage those who are endeavouring to bring about insurrections and outbreaks in Turkey? I am afraid my hon. Friend and those who use similar language incur no small amount of responsibility, and may have partly to answer for events which we may yet have deeply to deplore. But I will venture to tell my hon. Friend that what he has denounced as religious fanaticism is not so much religious fanaticism as that instinct of self-preservation which must exist in every race. The Mussulmans, as I have said, are led to believe that their time is come, that the day of their destruction is at hand, that the Christian Powers are going to deliver them over—their property and their lives—to their implacable enemies. Is it surprising that they should look upon Christians with suspicion, that they should show some signs of irritation and anger? The Turkish Government has never been a really intolerant Government. At Constantinople and in other cities of the Turkish Empire you may see the mosque, the church, and the synagogue standing side by side—a prospect not visible in many capitals of Europe. You may see wending through the streets the processions of the Roman Catholic priesthood, with their flaunting banners of many colours, and their gaily-dressed images of the Virgin and the saints; or you may pass the solemn burial procession of the Greeks, with the corpse exposed and adorned with flowers and gaudy finery. You will observe the Turkish population looking on with decent respect, and even sometimes with a certain degree of reverence. Where, I ask, in Europe, even in the most civilized and liberal countries, could such sights be witnessed? In dealing with a country so full of the anomalies that I have described, with so much to condemn and so much to approve, Her Majesty's Government has, I am convinced, followed a consistent, a liberal, a humane, a statesmanlike, and, if I may be permitted the use of the word, in the sense I mean, a "philosophical" policy. We have no desire to advocate and support conduct on the part of the Christians which we condemn in the case of the Mohammedans; nor do we wish to see Christians oppressing or exterminating Mussulmans, any more than to see Mussulmans oppressing or cruelly treating Christians. What we desire is, that equal justice should be done to all races, creeds, and sects. My hon. Friend has quoted some extracts from the despatches of Lord Stratford de Redcliffe. That distinguished diplomatist may be classed amongst the first and the truest friends of Turkey. At the same time, no man has done more than he has done to promote the real interests and to secure the just rights of the Christian subjects of the Porte. During his long and successful career in the East he succeeded in effecting great reforms, mainly directed to the improvement of the condition of the Christians, although not less beneficial to the Empire at large. His constant and earnest endeavours were directed to the abolition of such barbarous laws as still marked the inferiority, the servitude, of those who were not Mohammedans. Through his energetic interference the punishment of death, previously inflicted upon renegades from the Mohammedan religion, was abolished. Under his advice, and at his instance, the Sultan issued that celebrated Imperial rescript, the Hatti-Humayoun, which virtually admitted the civil equality of the Mussulman and the Christian, and which laid down principles which, if fairly and impartially carried out, would leave little to be desired in the Turkish Empire. But let it be remembered, that whilst Lord

Stratford was pursuing a policy which was entirely consistent with his own generous, humane, and enlightened views, he was at the same time obeying the instructions of his Government, and was acting up to their policy and opinions. Nor would any other instructions have been sent to any other ambassador at Constantinople, whether those instructions were issued by Lord Aberdeen, Lord Clarendon, Lord Malmesbury, or the noble Earl now at the head of the Foreign Office, or whether they were addressed to Lord Stratford, Lord Cowley, or Sir Henry Bulwer. The English Government has always acted, in its advice to the Porte and its instructions to its representatives, upon principles which may shortly be summed up thus:—A thorough reform of the abuses which are admitted to exist; a fusion, as far as possible, of the various races, classes, and creeds which form the heterogeneous population of the Turkish Empire; complete religious toleration for all creeds and sects; equal civil rights to all the Sultan's subjects without any distinction whatever; and the admission of the Christian subjects of the Porte to a share in the administration of the affairs of the Empire. These are the great principles still kept in view by Her Majesty's Government, and which I defy my hon. Friend the Member for Galway or any other Member of this House to prove have ever been departed from in any one instance whatever. On the contrary, there is not a despatch, not an instruction sent from this country—some of them have been quoted this evening—which is not only not at variance with them, but which does not insist over and over again upon them. Nor has any representative of this country acted upon other principles. Let my hon. Friend show that they have, and I will then admit, but not till then, that there is some foundation for the accusation that the Government of this country has supported and does support the Mohammedans against the Christians, that it is the friend of the one and the enemy of the other.

I attach great importance to the admission of Christians to a share in the administration of the affairs of their country. I believe that their admission would be as much to the benefit of the Turks themselves as to the advantage of the Christian. But let us even in this matter be just to the Turkish Government, and consider the difficulties with which it has to contend. How can we, with any degree of reason or fairness, ask the Turks to trust and to admit to a share in the Government those who declare themselves to be their enemies, and who are instigated and influenced by those whose avowed object it is to overthrow the Ottoman Empire, and who would employ those very Christians as their agents in the attempt? And let me remind my hon. Friend that by speeches encouraging the Christians in their hostility to the Turks, he and his friends render it still more difficult for the Turkish Government so to admit them. Before the Greek war of independence, Christians were not excluded from public employment; on the contrary, they had a considerable share in the administration of public business. The conduct of foreign affairs, for instance, was almost entirely in their hands. The Governments of Wallachia, of Moldavia, and of some other parts of Turkey, were confided to Greeks, generally to the Fanariots, as the Greek inhabitants of the Fanar, a quarter of Constantinople, are called. After that war, and in consequence of the seeds of enmity and hatred against the Turks which it sowed, it became more difficult to employ Christians, especially Greeks, in the Government, particularly in the administration of the internal affairs of the Empire. But that the Turkish Government is not opposed to the employment of Christians, but, on the contrary, is inclined and willing to avail itself of their assistance when it can do so without what it considers danger or inconvenience, is proved by the fact that the distinguished gentleman who has so long and with so much ability represented Turkey in this country (M. Musurus) is a Greek, and that the representatives of the Porte in many other capitals of Europe are of the Christian faith. Moreover, Christians, especially Armenians, are very generally employed in the internal administration of Turkey, especially in matters connected with the revenue.

Sir, I have been more than once twitted in this House for being the advocate of the Italians and of supporting liberal institutions and the rights of the people in Italy, whilst at the same time I am the enemy of the struggling Christians of Turkey. No one has condemned me more energetically than my impetuous Friend the Member for Poole (Mr. Danby Seymour). He assailed me a short time ago with a perfect whirlwind of sarcasm and abuse. "What!" he exclaimed, "you, who pretend to be the friend of the Italians, you who make speeches in favour of Italian unity and independence, now support those barbarous, those cruel Turks, and encourage them in every outrage upon the unoffending Christians, who only seek to turn out their oppressors and to make themselves independent. Shame upon you!" Allow me to point out to my hon. Friend that nothing could be more inappropriate or more unjust than a comparison between the Italian people and the Christian populations of Turkey in Europe. The Italians are a wonderfully intelligent, an illustrious, highly-civilized and cultivated people, inhabiting the whole of the peninsula of Italy, speaking one language—for I cannot accept the mere dialects of the common people as differences of tongue—possessing the same glorious literature, boasting of the same great men, inheriting the same wise and liberal institutions, claiming a common inheritance in those imperishable monuments of former greatness and power which adorn their common country. Centuries ago they showed the same genius, and the same capacity for self-government which, after long and cruel repression, has again burst forth in our day. Moreover, they have a common religion, and whatever antiquarians may say as to the remote origin of the people of this or that part of the Peninsula, we may accept them all as now virtually belonging to one and the same race. Now, what is the condition of the Christian population of Turkey? They are divided into many and hostile races and creeds, they have no common language and no common religion, and no common literature which could mould the opinions and influence the feelings and habits of a people. Indeed, it may be said, that they have no literature whatever; for although the prying and industrious philologist may discover a few traditionary ballads and tales amongst the Bosniacs, Serbs, or Bulgarians, I cannot accept them as a literature. Moreover, as a general rule, the Christians form the labouring and working part of the population, and are not the great landowners. On the other hand, how are the Turks situated? They have a common religion, to a great extent a common language; they have a literature of their own, and an extensive one, whatever value we may attach to it. They are, besides, the holders of the greater part of the soil in Turkey. They are not like the Austrians in Italy, or the Russians in Poland, only encamped in the land and holding the people in subjection by the mere force of arms, without having any other footing in the country. If one-third or more of the population of Italy had been of Austrian origin—I am now applying the comparison to Turkey in Europe alone—and the greater part of the land had been held by Austrians, the case would have been very different, and the liberation of Italy from their yoke would not have been so easy a matter. The conquest and settlement of the European portion of Turkey by the Ottomans resembled, in many of its features, that of the conquest of England by the Saxons or by the Normans. The conquering race became the governing race, and dividing the lands amongst them, settled themselves permanently in the country, keeping, it is true, the conquered in subjection, but so far amalgamating with them as to form one nation. Fortunately, in England there was no difference of religion between the conqueror and the conquered. Consequently, the distinction of race in the course of time disappeared. Unfortunately, such has not been the case in Turkey. The Osmanli conquerors have retained their faith — the Mohammedan; the conquered have remained Christians. They have consequently never amalgamated, and the distinction between the races is as broad now as it was three or four centuries ago. Hence all the evil; hence arise the vast difficulties in dealing with the Eastern question, which is in truth far more one of a religious than of a purely political character. Ireland might furnish us with even a still closer analogy. As in Turkey, the conquerors were of a different faith, and they have retained that faith, and have consequently not amalgamated with the conquered. Their descendants, the minority of the population, hold a great part of the land. The language of the two races was long distinct. The English are still looked upon by the native Irish as invaders. The measures which you advocate for Turkey, if applied to Ireland, would mean the entire expulsion of the descendants of the English conquerors, and of the Protestants of Ireland, whether of Irish origin or not, and the surrender of all their lands and property to the Roman Catholic population. The English Government has pursued a different policy. It has sought by wise laws and just administration, by removing civil and religious inequalities, and by giving the Irish people an equal share in the administration of the affairs of the Empire, to reconcile them to the different races and creeds, and to render them all good and faithful subjects of the Crown. It is precisely this policy that we recommend to the Turkish Government.

My hon. Friend the Member for Poole (Mr. Danby Seymour) reminds me that what I have said about language, literature, and traditions does not apply to the Greek race. It does not perhaps in the same degree as to the Sclavonian inhabitants of Turkey. But the Greek race forms but a very small portion of the subjects of the Sultan. The numbers given by my hon. Friend the Member for Honiton (Mr. Baillie Cochrane) are, I am convinced, very much exaggerated. The true estimate would be much nearer that which I gave on a previous evening—namely, 1,500,000, or altogether between 2,500,000 and 3,000,000 including the Kingdom of Greece—than 6,000,000 as he has stated. But even with respect to the modern Greeks, I must point out to the House that whilst their language differs greatly from the ancient written Greek, so much so that the classics are only understood by those Greeks who, like ourselves, have made a special study of them—their traditions and literature are not of ancient Greece. They do not follow the noble and elevating precepts of the old philosophers, but rather the narrow and demoralizing doctrines of the Byzantine theologians; they do not look to the bright examples of the illustrious heroes of ancient Greece, but to the miserable corruption and debasing intrigues which brought the Lower Empire to the depths of infamy, and led to its fall; they are not familiar with the names of Leonidas, of Miltiades, of Sophocles, of Socrates, of the great warriors, poets, and philosophers of antiquity, but of the Constantines, the Theodosiuses, the St. Chrysostoms, and the Cyrils of the Lower Empire: in one word, their traditions and their aspirations are not linked with Athens, but with Byzantium. In saying this, I would, of course, make an exception in favour of the learned men of the present capital of Greece and of those who have studied in its University. I am speaking of the great body of the Greeks scattered throughout the East.

It is remarkable that the best and most popular institutions of the people of the Lower Empire were respected by the Turks when they conquered the European provinces. I refer to the municipal institutions which they found prevailing in the country. It is, perhaps, not known to many Members of the House that the Christian subjects of the Sultan forming communities and villages, like the inhabitants of a considerable part of Italy, enjoy such institutions as enable them to administer their own affairs without interference, and to acquire habits of self-government, which have been thus developed to a considerable extent. For instance, all that relates to the ordering of ecclesiastical matters is left entirely to them. The assessment and collection of the taxes of the community belong in most instances to its own chief, the Turkish authorities rating the villages or quarters of a town at a gross sum, and leaving the inhabitants to apportion and raise that sum as they deem best. Very often the police, and even the administration of justice of a Christian village are left entirely to its head, who is generally a person selected by the villagers themselves for his ability and his superior wealth. I do not pretend to say that these institutions are by any means perfect; but I am of opinion that they would form the groundwork of much better institutions, and that if they were developed and extended in a right direction, they would enable the Turkish Government to increase the liberties of their Christian subjects, and to remove many of the grievances of which they now justly complain. But even under these institutions, such as they are, many Christian communities in the East have acquired considerable wealth and prosperity, and have enjoyed much freedom and happiness. I may mention as instances, the villages of Ambelakia, hanging on the wooded sides of Ossa above the classic and lovely vale of Tempe, so graphically described by Mr. Urquhart in his work entitled *The Spirit of the East;* and the Greek communities of Zagorie, inhabiting some of the most picturesque and beautiful valleys of Pindus, remarkable for their wealth and intelligence, and the curious representative system by which their affairs are administered. At the same time I cannot overlook the fact that the very existence of these municipal institutions, if I may so term them, is the cause of much of the oppression and wrong under which the Christians suffer. The extracts from the reports which I have read prove that the complaints of the Christians are as much directed against their own bishops and civil heads as against the Turks. These bishops and chiefs have the power of imprisonment, of fine, and of punishment by torture, and in many cases these powers are exercised in the most arbitrary and disgraceful manner. We have seen that some of the most rapacious and unjust collectors of the taxes and farmers of the revenues have been Christians, and that the Turkish Government have been made responsible for their illegal and arbitrary acts. What I wish to see, Sir, is the development of these institutions. I wish to see the Christians taught habits of self-government. I wish to see them advancing in wealth, in education, in social condition, in morality, in honesty, in manly independence—preparing themselves, in fact, to play that part which Providence may have in store for them. These things can, I believe, be accomplished by keeping the Turkish Government in the path of reform—by encouraging it in its endeavours to improve the condition of its Christian subjects. They cannot be accomplished if we are continually inciting the Christian populations to insurrection, and if we do all in our power to render any understanding between them and their Turkish fellow-subjects and their Turkish rulers impossible. I will venture to affirm, that if the English Government were to follow much of the advice given by my hon. Friend, we should throw back the Christian populations of Turkey, instead of advancing their interests; that we should render the development not only of their prosperity, but of that of the Turks, impossible.

We have, too, be it remembered, a duty to perform towards the Turkish Government. We have treaty engagements—we have pledges to fulfil. It does not become us, claiming to be a Christian and civilized Government, to violate these solemn obligations. My experience of the East has led me to the conviction that in dealing with Easterns it is above all things essential to preserve good faith—to be true to one's word. The Turks have many excellent qualities, and travellers who are really acquainted with the Turkish population admit their hospitality, their honesty, and their truthfulness. The Sultan of Turkey and the Turkish Government have given proofs of these qualities more than once. They have always been punctual in discharging their obligations. Should we not be equally punctual in discharging ours? Surely my hon. Friends below the gangway cannot have forgotten the conduct of the Sultan with regard to the Hungarian refugees, when Turkey was prepared to go to war with Austria rather than surrender those who had sought refuge within her frontier. Why, in return for what she has done, should we, admitting all that is bad and corrupt in Turkey and all that requires reform, treat her ungenerously, and refuse her our sympathy, advice, and assistance in her endeavours to advance and improve? If we do so, will not she naturally lose all the confidence she now feels in England? Shall we not lose that influence for good, those means of promoting the prosperity and welfare of many millions of Christians which we now possess, and which it is our duty to exercise with justice and discrimination? Sir, there are two kinds of bad Governments. There are those bad Governments which boast of their badness, make their badness a principle, and persist in it against all remonstrance and in spite of all shame. Such, I fear, were some of the Italian Governments. There is another kind of Government, with very much to shock and condemn, but which admits its defects, struggles to remove them, and endeavours to reform itself. Of this kind I believe the Turkish Government to be; and because I believe this, I am desirous that we should give Turkey our sympathy and support in carrying out measures which are really intended for the benefit of her people. My hon. Friend the Member for Galway has done me the honour of reading an extract from a work which I published some years ago. He has quoted to the House the words of indignation with which I characterized the proceedings of the Turkish authorities in a remote part of Asiatic Turkey. Sir, I have not contented myself with mere words of indignation and with mere speeches. As far as my humble means have permitted me, I have done my best to bring such things to the notice of the Turkish Government, to obtain redress for the sufferers, and to prevent the repetition of such atrocities. I have nothing to retract from what I have written about the misconduct of the Turkish officials in the Nestorian mountains. I was myself a witness of that misconduct. I sent the strongest representations to Constantinople, and both Lord Stratford and Lord Cowley did their utmost to obtain redress and justice for the sufferers, and the punishment of those who had ill-treated them. I fear that justice has never been fully done to these poor people. I have denounced other instances of oppression, for I do not deny that the Nestorians present no solitary case. That Lord Russell has denounced such acts of misgovernment and such atrocities, in the strongest language, his eloquent despatch upon the Syrian massacres quoted by my hon. Friend is amply sufficient to prove. And yet my hon. Friend would seem to insinuate, indeed he has almost said, that we not only are indifferent to these things, but rather by our support of the Turk encourage, if we do not connive at them. But, Sir, whilst admitting the occurrence of these deplorable events, we must surely make some allowance for the Turkish Government when we consider the immense difficulties with which it has to contend—the vast extent of its territory, the variety of races hostile to each other which it has to govern, the impossibility of exercising a superintending control over its servants, scattered over the Empire, and the constant interference of foreign agents, not of one nation alone, who weaken its authority and encourage the hatred and jealousies which unfortunately exist amongst rival creeds. We must bear in mind, too, the semi-barbarous condition of a large portion of the population, the fanaticism, whether of the Mussulman or of the Christian, which is still ready to burst forth in deeds of violence and blood, and the want of a sufficient number of able, honest, experienced, and educated public officers, to whom can be confided the administration of affairs in distant provinces far from the control of the central authority. I will venture to affirm that no Government that could be mentioned has had greater or even equal difficulties to overcome.

Now, Sir, there are two policies pursued in Turkey. The one policy is to weaken the authority of the Sultan, to render it impossible for him and his Ministers to govern the Empire, to incite the Christian population to constant and hopeless rebellion and insurrection, and thus to frustrate all attempts at their material improvement, to nourish the feeling of hostility between races and creeds, and to prevent all progress and reform—thus preparing the way for the fall of the Empire and for its ultimate partition, with a chance of some gain in the scramble for its remains, and treating it as if that fall were near at hand. That, Sir, is not the policy of Her Majesty's Government. The other policy is to strengthen the hands of the Sultan in his endeavours to improve the condition of all classes of men under his rule, and to place them on a perfect equality both in regard to their civil and religious rights, to give him a hearty sympathy and support in the carrying-out of all measures which may have this end for their object; to condemn frankly and openly, but at the same time with a due respect to the independence of Turkey, such instances of misgovernment as may come to light; to assist him in promoting peace and goodwill amongst all his subjects without distinction of creed or race, to be true to promises and to respect treaty engagements, and to secure to the whole of the Empire that internal tranquillity and good Government which will contribute more surely than disaffection and insurrection to the advance of the Christians in material wealth and prosperity. Such is the policy that has been pursued and is still being pursued by Her Majesty's Government. I believe it to be a generous, a just, and a wise policy. I will not admit as an excuse for it that it is a policy of expediency. It is not a selfish policy, but, as Lord Russell truly says in a despatch of the 9th of August 1859—

> "I wish to make it clear to the Sublime Porte that these reforms are not urged with a view to increase British influence or any other foreign influence, but with a sincere desire to render Turkey a fit member of that European system to which she is acknowledged to belong, to increase her prosperity, and to provide for the better security and contentment of the Sultan's subjects of all creeds."

I freely admit, and I repeat it most distinctly, that the Christian subjects of the Sultan have still many grievances, and that they are still exposed to oppressive restrictions and distinctions; that they may be sometimes treated with cruelty; that they have not yet equal rights with their Mohammedan fellow-countrymen. But I look with hope to the eminent statesmen who direct the affairs of the Empire for the ultimate removal of these evils. Especially I have hope in the young Sovereign who has recently ascended the Throne, who to great energy and firmness of character and to great ability unites the most humane and liberal disposition, the most earnest desire to improve the condition of all classes of his subjects, to extend to them equally his protection, to civilize his people, and to develop the resources of his vast Empire.

I regret that the noble Lord at the head of the Government is prevented taking part in the discussion of this evening. He has been the most consistent, the most earnest, the most eloquent advocate and supporter of the policy I have described. It may appear presumptuous in me to speak approvingly of what he has done. I do not do so because I have the honour to be a Member of the Government of which he is the Chief. I have advocated that policy, as far as my humble abilities have permitted me, as long as I have had a seat in this Assembly. I approved of it, and believed it to be a just and wise policy, long before I had the honour of being a Member of the House of Commons. The opinions I have formed on this subject have not been formed hastily and without due consideration. They have been formed after the most earnest thought, and with the conscientious desire to come to a sound and righteous conclusion. They have been weighed and matured whilst riding as a solitary traveller over the vast plains of Asia, as well as whilst mixing with those races and tribes of Christians whose prosperity and happiness it has ever been my sincere desire to promote. It is my solemn conviction that there is no part of the foreign policy of the noble Lord which will hereafter contribute more to that great fame which he will leave behind him than his Eastern policy—a policy consistent with true humanity, best calculated to promote the real interests of both Christians and Mohammedans, and most conducive to the maintenance of the peace of the world.

Mr. MAGUIRE said, it would seem, from the speech of the Under Secretary, as if all the evils in Turkey had been caused by speeches in that House; but he (Mr. Maguire) could not understand how it was, that when an evil existed of such magnitude as to provoke indignation, the expression of that indignation was the creation of the evil itself. Now, Parliament, so far from having spoken too strongly of the abuses in Turkey, had not spoken strongly enough; and he thanked his hon. Friend (Mr. Gregory), who in his able speech had shown, upon incontestible authority, the great abuses which existed in Turkey in spite of the interposition of our Government. No doubt our Government had, from time to time, remonstrated with Turkey; but it had been clearly shown that those remonstrances were, to a large extent, unavailing, and that the words which our diplomatists had written had been written upon water. The hon. Gentleman the Under Secretary had endeavoured, by contrasting the condition of Rome and Constantinople, to defend the state of things in the latter, and he had stated that Protestant evidence was not taken in cases before the Roman tribunals. Now, he (Mr. Maguire) could mention the name of an English Protestant gentleman, a friend of his, who informed him that five or six years ago he had a case involving a large amount of money brought before the highest Roman tribunal —the Rota; that he was on one side, and the Roman Government on the other; that the lawyers were most able, and that the Judges decided according to the strict letter of the Roman law, and in his favour. The English Protestant gentleman won his case, although the Roman Government was on the one side, and the English Protestant on the other. That was his answer to the hon. Gentleman. Indeed, he might remark that the speech of the hon. Gentleman was more moderate than usual, and was also both able and interesting, and that his allusion to Rome was peculiarly mild. It would appear, however, as if the very name of the Pope had an effect on the hon. Member just as the flutter of a red rag had upon the lordly animal, the bull, stimulating it to pugnacity, and sometimes to ferocity. The hon. Gentleman would endeavour to prevent the voice of that House from being raised against the abominations which existed under an effete and rotten despotism, by representing the terrible consequences of the Turks being driven back into Asia. The hon. Gentleman had asked what would happen if the Turks were driven out of Europe, and he asserted that the Greeks and Catholics would then attempt to massacre each other. There was a conclusive answer to that. In Greece there were Catholics and members of the Greek Church, and both lived in amity. Under Otho, at least, there had been various ministers of the Catholic religion in the Government, and not only on the mainland, but in the islands—for instance, in Tenos, Seira, and Naxos—there was a large Catholic as well as Greek population, who lived on the best possible terms. Therefore, if the same result were brought about in a liberated Turkey, as had been brought about in independent Greece, he, for one, would not be dissatisfied. The hon. Gentleman had spoken of Turkish soldiers laying out the bodies of the members of Christian sects at Jerusalem, and attributed the alleged massacre to religious feuds between members of the Catholic and Greek churches; but if the hon. Member told the entire story, it would be seen that what took place was owing to a panic caused by the Turkish soldiers, and not to any religious animosity of one class of Christians against another. Really, it was most unfair not to state the entire case in a matter of the kind. The hon. Gentleman asked, rather significantly, whether the Turk was to keep his hands constantly in his pocket. In reply to that question of the hon. Gentleman, he must say—certainly not, and for this very good reason—because Turkey had its hands constantly in the pockets of simple John Bull. For the last dozen years the Turk had both his hands up to the very elbows in the pockets of this country. Turkey was now making a new attempt to impose upon the amazing credulity of British capitalists. A document had been issued that morning in reference to this question of Turkish finance, and, so far from inspiring confidence in the mind of the English people, it was, in his opinion, calculated to impair the efforts made to foster and promote a new Turkish loan. That document he now held in his hand, and he would refer to it in order to show how this confiding and honest Government of the Sultan was dealing with the Commissioners, and how far the long-promised reforms were really carried out. He would quote two passages, one from Lord Hobart's despatch of the 20th May, and the other from his despatch of the 10th of December; and it would be seen, by contrasting the two, that this Government, which they were told had, in the most unreserved manner, surrendered its finances into the hands of the Commissioners, actually misrepresented one item of its liabilities to the amount of £3,000,000. In his despatch of May the 20th, 1862, Lord Hobart said—

> "In order to deal in a thoroughly satisfactory manner with the subject under consideration, it would obviously have been desirable that the Committee should have before it a complete list and explanation of the various items of the floating debt, so that it might be able to form a judgment as to the amount of metallic money which would be required for its liquidation. But, on the one hand, no such information was forthcoming; and, on the other, it was evidently of the utmost importance to arrive at an immediate decision in regard to the paper money. . . . It was determined, therefore, without further delay, to take the statement of the Grand Vizier as to the amount of metallic money which would be required for the floating debt, and upon that statement to proceed at once to the consideration of the course to be pursued."

The Grand Vizier represented the floating debt at £7,700,000; but, on referring to the despatch of December the 10th, it would appear to be quite another figure. Lord Hobart says—

> "Floating debt, £10,900,786. This debt was (as stated in my former despatches) estimated by Fuad Pasha, in his statements to the 'Preliminary Committee' in May last, at about £7,700,000. But that amount did not (as it now appears) include a sum of £2,250,000 due to certain bankers to whom assignments had been given on arrears of revenue, but for which assignments 'consolidés' have been now substituted in the way of guarantees for payment; nor did it include a sum of £967,000 for arrears of pay due to the army."

Here, then, was a false representation of the floating debt to the amount of more than £3,000,000; for instead of its being but £7,700,000, it was within a fraction of £11,000,000. Was such a representation fair on the part of the Turkish Government when endeavouring to raise a new loan from the capitalists and people of this country. The want of good roads and of internal means of communication were acknowledged in Turkey, and promises were held out that measures would be taken to supply that want. This occurred about two years ago, when a former loan was hoped for, and the same thing was hinted at now, when another loan was to be bolstered up. What the state of the internal communication was, appeared clearly from one of Lord Hobart's and Mr. Foster's former despatches, where it was stated that a certain quantity of agricultural produce, which, when bought at the farm, only cost four piastres per kilo, was sold at the seaboard for from forty to fifty piastres, the great difference in the price being occasioned by the difficulty of transit. Was there any civilized Government in the world that did not consider its first duty was to establish roads and afford facilities for the transit of merchandise, and free communication between various parts of the country for its inhabitants? We should not be surprised at hearing of such a state of things existing under the Government of the King of Dahomey; but in European Turkey, which England was propping up and supporting, it was rather too bad that it should exist in the year 1862, after repeated promises to the contrary. Lord Hobart, in his despatch of the 27th November 1862, says that "the measure of most urgent necessity is the construction of roads and the improvement of the means of communication generally." In the same despatch Lord Hobart also referred to the assessment of the "Verghi," or income tax. Now, that same income tax was, of all the abominable systematic abuses that could be imagined, the worst. A man might be assessed over and over again; the rich might escape, and the poor man might be overtaxed, and yet there was no redress for the wretched victim. Under the "liberal" Government of the Turks, this oppressive income tax existed to the present moment. According to Lord Hobart, "as at present adjusted, it bears most heavily upon the productive industry of the country." And this was the reforming and progressive Government of which the hon. Gentleman the Under Secretary spoke with such enthusiasm! Now, if this country was asked for additional loans, it was entitled to see that promises of material improvement were really commenced. But there was something more important still. Fully £100,000,000 of treasure had been lavished by this country, and the best blood of the Three Kingdoms had been shed, in defence of the territorial integrity of Turkey; and yet the Turkish Government continued deaf to the remonstrances of our Government, and still persevered in its denial of justice to its Christian subjects. In the name of common sense and common humanity England was therefore bound to insist that the Turkish Government should fulfil the obligations it had entered into. What did *The Times* correspondent, writing on the 2nd of April, say? The correspondent of *The Times* was a gentleman who knew Turkey, and was not likely to play into the hands of those who desired to pull down the Turk and raise up the Christian in its place. *The Times* correspondent wrote on the 2nd of April, after alluding to the amounts of the Turkish loans and home debt—

> "It is marvellous, when all these fabulous sums are added up, to witness the credit with which the Turkish Government seems to be invested in the eyes of European capitalists; and in endeavouring to account for that phenomenon, one naturally looks about him to ascertain whether the advancement and prosperity of the country in any way justify this reckless confidence in its good faith and in its resources."

Whatever reforms had been promised, it was clear, from Lord Hobart's letters, that no substantial advance had been made by the Turkish Government. It was not enough for England to remonstrate; but if her protest were disregarded, she ought to join with the other Powers in compelling the Porte to act justly towards the Christian population. It was all very well for the Under Secretary for Foreign Affairs to try to palliate the conduct of Turkey, and say that the Turkish Government had so many difficulties to contend with; but would the hon. Gentleman be as tolerant of similar proceedings on the part of other Governments?—Christian Governments, ruling over Christian people, having the same origin and language and religion—not a Government of a handful of infidels oppressing many millions of people, who, like the people of this country, believed in the Redemption. The hon. Gentleman endeavoured to weaken the case against this odious despotism by exaggerating the number of the Turks, and decreasing the number of Christians in European Turkey. He endeavoured to show that the Turks were more numerous than was supposed. But he (Mr. Maguire) had the means of showing that this was not the case. King Otho, not many years since, cherished the dream that he might one day sit on the throne of Byzantium; and, with a view to that event, he employed two very able men to travel through Turkey and collect information as to its population, its strong places, and its condition. Now, the statistics thus obtained showed that there were not more than 2,000,000 of Turks in European Turkey. For instance, of 200,000 inhabitants in Candia, not 20,000 were Turks, or other than Greeks; of 30,000 in Rhodes, only 2,000; of 35,000 in Scio, only 1,000; of 50,000 in Mytelene, only 5,000; of 60,000 in Samos, only 10,000; of 10,000 in Patmos, only 20. In Albania, two-thirds were Greeks, a large number were Greco-Valacks, and the Turks were comparatively few. In Thessaly, out of a population of 200,000, as many as 170,000 were Greeks, and but 30,000 Turks. In fact, without going into further statistics, the Christian population was very numerous throughout European Turkey generally, and the Turks were comparatively a mere handful—that is, about 2,000,000 of Turks to 11,000,000 of Christians. And was a Christian nation, which had squandered its treasures and shed its blood for this rotten system—which was a blot on European civilization—to endure that this mere handful of infidel barbarians should trample upon those who held the same faith as themselves? The hon. Gentleman would have the House believe that Christian testimony was received in Turkish tribunals; but it was in the ambassadorial or consular courts, under the protection of the different European Powers, and not in the native tribunals, governed by Mohammedan law. The hon. Gentleman stated that the police of Constantinople were increased, and their cost diminished. That might be true; but what was the character of the force in the interior? According to Lord Hobart and Mr. Foster, the Turkish police, so far from suppressing or discouraging brigandage, were themselves robbers and oppressors of the people—the very vilest and worst of the population. The Turkish police were a scourge, not a protection. It was all very well to point to Constantinople and the great cities, and say that there the Christians enjoyed freedom. But if no flagrant wrong were done to Christians in Constantinople or Smyrna, it was only because there were the Ministers and Consuls of Christian Powers in those cities. But in the interior of the country, where there were no representatives of these Powers to keep watch, Turkish cruelty had full scope. The Turks were unchangeable in their hatred of Christians, and they never failed to treat them with cruelty or hardship when they had the opportunity of doing so with impunity. In the remote village, the pettiest Aga, with his guard of Turkish soldiers, was a despot, and the Christians were his slaves. The Turk was now what he ever was, unless where he was restrained by fear. Why, even in the Mohammedan mosques of Calcutta, under the very shadow of British rule, a prayer was to this day continued to be offered up every Friday, which was worthy of the Turk of four hundred years since, or of Mahomet when he overran the countries which he conquered by the sword. If one wanted to know what the Turk was, let him observe the Greek subject of the Turkish Government as he first appears in this country. A short time since, a Greek, from one of the Turkish provinces, came over to this country, having inherited property left him by a relative in London. It was curious to observe how cringing and subservient, from long oppression of his fathers, that Greek was. He was servile, and almost abject; but he was not long in the company of freemen, and breathing the atmosphere of a free country, when he held his head up like a man, and lost the sense of his former dependence. England was not responsible for the conduct of other Governments—she was for that of the Government of Turkey. Having guaranteed the continuance of the Turkish rule, England was bound to see that it acted wisely, justly, and humanely. She was bound to see that it redeemed its promises in favour of that portion of its population upon which all its hopes of progress and development depended. The Christian element was that alone which saved it from utter annihilation; and of the Christian population the Greek was the most energetic, the most enterprising, and the most successful. If they prospered, it was altogether irrespective and in spite of the Government under which they lived; for a more effete, incompetent, and utterly incapable Government did not exist. They were told that the present Sultan was an economist. He, for one, had no faith in his alleged economy. The total debt of Turkey was £55,000,000, and the interest on that debt subtracted £4,500,000 a year out of the revenue, which they were told was about £15,000,000; and yet the Sultan, who was now raising another loan, had a civil list of £1.250,000—besides any other sum he might think fit to obtain. Out of the last loan, he had defrayed the expense of his costly trip to Egypt; and out of the next he would build ships or palaces at the expense of John Bull. The Sultan had already squandered large sums, and he was prepared to squander more. The hon. Member for Galway was entitled to the thanks of the country for having brought this subject so ably before the House; for Parliament must continue to raise its voice until it forced Her Majesty's Government to take such steps as would bring the Turkish Government to its senses—or that rotten system would ere long be driven back to Asia, and the Christian people who groaned under its rule be rescued from its oppression.

MR. A. SEYMOUR said, he regretted that so much fine language had been thrown away in defence of a Government which was effete and rotten to the core. In his opinion, the Christian population of the East had not received proper treatment at the hands of the English Government for some years past. The policy of England should be to foster them as far as possible. If there had been any improvement in their condition, it was due to the efforts, not of their own, but of other European Governments. He could not agree in the remark of Earl Russell in one of his despatches, with regard to the bombardment of Belgrade, that the Christians had forfeited all claims to sympathy from the Christian countries of Europe. He entirely dissented from that statement, and regretted that Her Majesty's Government, while willing to extend the hand of help to the people of Italy and of Poland, had refused assistance to the struggling Christian populations of the East. The reports of the English consuls showed that the fanciful picture drawn by the Under Secretary of an Arcadia in Turkey was as unreal and deceptive as a mirage, and had no substantial existence. In conclusion, he trusted that in their future policy in the East the Cross would be more thought of than the Crescent, for the day might soon come when the Crescent would be replaced by the Cross, and then they would deeply regret the course they had hitherto pursued.

LORD HENRY SCOTT said, he was afraid that the subject under discussion did not excite much interest at that moment, because all eyes were directed rather to the West than to the East. In the debate Turkey had been regarded more with a view to European politics than with respect to the internal condition of that country, but he did not regret the turn which the debate had taken, on account of the valuable information which had been elicited, especially with respect to Servia. He believed, indeed, that the case of Servia, which had been so ably brought before them by the hon. Member for Galway, was in reality the case of the Christian population of Turkey generally. On one point every hon. Member who had taken part in the debate, including the hon. Gentleman the Under Secretary himself, seemed to be agreed, that the Turkish Government had not given those concessions to its Christian subjects which some years ago it promised to grant, and which England had spent an immense amount of blood and treasure to obtain. The reform which Lord Stratford de Redcliffe extracted from the Turkish Government in 1856 embraced the eligibility of Christians for public offices, religious toleration, improved administration of justice, the establishment of mixed tribunals, the admission of Christian evidence in courts of law, an efficient police, the development of the resources of the country, the encouragement of education, and reduction of expenditure. No fairer programme could have been sketched; but, unfortunately, the promises of the Turkish Government, though given in the most solemn manner, had not been fulfilled. All the Consuls who had sent in reports, fourteen in number, agreed in declaring that the Turkish provinces were still in a very bad state, that the lands were lying waste, that brigandage existed to a deplorable extent, and that the general administration was exceedingly defective. All reported that the trade of the country was almost entirely in the hands of the Christians, while the landed proprietors were chiefly Mohammedans; a statement that explained the observation of the Under Secretary, that the trade in Smyrna and other ports was in a flourishing condition. Eight of the Consuls remarked that Christian evidence was not admitted in any courts whatever, and the whole of them represented that reform was required as much as ever in nearly every department of Government. When the House considered that the reports of the Consuls were written under very peculiar circumstances, that the object of their authors was to give the most favourable impression of the Turkish Government, he thought the evidence which they afforded of the lamentable condition of the Christians was entitled to the greatest possible weight. The hon. Gentleman the Under Secretary had quoted the report of Mr. Consul Homes, but he had not read the passages in which it was stated that the Tanzimat was disregarded; that the Christians had given up all hope of an amelioration of their condition under the present *régime*; and that they were daily subjected to fresh hardships. The Christians no doubt suffered most from the maladministration pursued in Turkey, but the Mussulmans also participated in its evil effects. The House had not long ago heard a moving account of the state of the prisons in Southern Italy; but the state of the prisons in Turkey was a great deal worse. Mr. Abbott, the Consul at the Dardanelles, stated in his report that the internal state of the Turkish prisons was in the last degree revolting to humanity, and a disgrace to any nation having any pretensions to civilization. Having himself witnessed what was called the administration of justice in Turkey, he could only describe it as the most extraordinary perversion of that sacred word which could be conceived. When he had seen both the murderer and the relations of the murdered person chained together and dragged along many miles of country to give evidence, he not did think it surprising that there should be a difficulty in attaining the ends of justice, or that everybody should flee away whenever a great crime was committed. These were the measures resorted to by a nation which aped all the airs and graces of Paris, and yet retained in its heart all the barbarism of the Tartar horde. He knew the strong feeling entertained in this country in regard to the slave trade, and a convention had been concluded between us and the Porte on that subject. But not very long ago he himself witnessed a steamer coming down the Nile laden with a cargo of slaves. He asked to whom the slaves belonged, and the answer was, "To the Government of the country." The effect of the convention had been to take the slave trade out of the hands of private individuals and place it in the hands of the Government, and he believed, on the authority of trustworthy travellers, that at that moment black slaves were as much procured in the East as in former days, though, perhaps, white slaves were not. In mentioning these things he did not wish to throw obstacles in the way of Her Majesty's Government, but he was most anxious that they should pursue the policy which was strongly and fearlessly carried out at Constantinople by Lord Stratford de Redcliffe —the policy of insisting that the Turks should fulfil the solemn engagements into which they had entered, and the non-performance of which brought discredit upon their name.

MR. COBDEN: My hon. Friend the Member for Southwark (Mr. Layard), towards the conclusion of his very able speech, asked what this discussion could lead to—what was the nature and object of the debate? Now, I hope that one result will be to prevent the necessity of any more discussions of the kind in this House. This debate has arisen, as was very properly stated by my hon. Friend, in consequence of certain transactions which have taken place in Servia. Our Foreign Office has pursued a particular course in consequence of those events, which has had the effect of bringing to England certain Servian gentlemen, persons of eminence in their own country, who have been forwarding pamphlets to Members of Parliament, making in fact an appeal to this House against the conduct of the Foreign Office. That, I apprehend, is the origin of this discussion. I think that we are becoming more and more the debating society of the whole world. The Convention of France incurred some ridicule for having called themselves the orators of the human race; but we seem to be fast arriving at the same position. Now, what is the case that is brought before us for judgment? It seems that a Turkish Pasha, having the command of a fortress in Belgrade, the capital of Servia, took it into his head, in a moment of panic, to bombard that city. It was an outrage that was of course repudiated by everybody. It was an attack which would not be tolerated even in war; for we all know that the great warrior the Duke of Wellington laid it down as a rule that you are not justified in bombarding a city even to carry out a strategic movement in the face of an enemy. But here, in consequence of a *fracas* between two boys at a well, or something of that kind, the Pasha bombards the capital of Servia. That act was followed by a meeting of the representatives of the great Powers at Constantinople; and I believe, that, with the exception of England and Austria, all the representatives were willing, and indeed anxious, that the wish of the Servian population should be complied with, and that the fortification should be rased to the ground. My hon. Friend (Mr. Layard) stated this point rather inaccurately. It is not that the Servian Government or the population of Belgrade wish to have the fortress surrendered to them; what they say is, let the fortress be destroyed. I believe that France, Russia, Prussia, and Italy, are all desirous that that course should be followed, and that England and Austria are the only Powers opposed to it. Well, what can be the objection to it? When Servia obtained her independence—for she is practically independent of Turkey—it was on the condition that seven fortresses should be occupied by the Turks. Two have been abandoned, but there are still five which the Turks are allowed to occupy, and of these the one at Belgrade is the most important. What is the use of that fortress to Turkey? Turkey has no territory within about 200 miles of Belgrade, and the fortress guards no frontier, for Russia does not come down to the opposite side of the river. Now Belgrade, with one front to the Danube and another front to the Saave, standing at the confluence of those rivers, is most admirably situated for a commercial centre, but its commerce is menaced with destruction, because the population say, "What security have merchants for the future that it will not be bombarded again by any Turkish Pasha who happens to get into a panic?" And the consequence is, that the prosperity and the growth of the city is threatened for the future. What, then, is proposed? Instead of rasing the fortress to the ground, it is proposed to extend it. I hear that our Government are consenting parties to a plan for clearing away the houses in front of the fortress, and that a large part of the bank of the Danube, affording the greatest facilities for commerce, is to be sacrificed for this purpose. Now, in whose interest can this be? Is it for the benefit of Turkey? Turkey is incurring a very large expense for keeping up this fortress; but what possible benefit can it derive therefrom? My hon. Friend went into a long history of Servia and its people, and wound up by a very elaborate argument to show that the Servians are more indebted to the Turks than they are to themselves, and that we are under a great delusion to suppose that there has ever been a grievance or a quarrel between them. I read the other day Ranke's celebrated history of Servia, and I thought I had never met with a more heroic struggle for national independence than that which was sustained by the Servians against the Turks. It is true they had no princes nor potentates to lead them. They were swineherds and bandits, men who had fled from Turkish tyranny to the forests and mountains, that took the lead in the Servian insurrection. If the Servians were really so indebted to the Turks as the hon. Gentleman describes, they have shown themselves very ungrateful; for one of the conditions on which peace was made with Turkey was that no Turk should be allowed to live in Servia except in those fortresses. The consequence is, that you have no Turks in Servia, except the garrisons in those fortresses, with nothing to protect. And this is a state of things insisted on by the perverseness of our Foreign Office. Suppose our Foreign Office is allowed to have its way, what may be the consequence? Although my hon. Friend has spoken somewhat disparagingly of the Servians, he acknowledges them to be a brave, spirited, honest, and industrious people. There is no doubt that one of the first things they will do, when they arm themselves, will be to attack these fortresses. I hope the expression of opinion in this House, and the tendency of the public press, will have their due influence upon the Foreign Office, and that we shall not have the subject again brought before us. I think our Government has taken up a very absurd position.

The question of Servia has led to the larger one of the whole condition of Turkey. That question will be understood by a statement of one or two compendious facts. When we speak of Turkey in Europe, we are apt to associate it with the idea of an Ottoman race. If you include the Danubian Principalities, Moldavia, Wallachia, and Servia, Turkey in Europe consists of about 15,000,000 of souls, of which from 3,000,000 to 4,000,000 only are Mohammedans, and the rest Christians. If you exclude the Danubian Principalities, then you have at least two Christians to one Mohammedan in Turkey in Europe. I have heard it said that the proportion is three to one. However, I will be within the mark. And now you have this question before you. Is your foreign policy to be administered in the interest of a small minority of Mohammedans, or in the interest of the Christians in Turkey? I think it would be well if my hon. Friend (Mr. Layard), who is a young man, notwithstanding that he has had long experience, would take a hint from what he has heard in this House, and would re-consider his views with regard to the question of Mohammedan ascendancy in Turkey. He seems to be of opinion that we must acquiesce in that ascendancy, but I rather suspect he has too much good sense to content himself with that as a permanent policy. I rather think he looks upon it as a transition state of things. But the noble Lord at the head of the Government does believe in the Turkish Government as a permanent Power in Europe. I think he is the only statesman in Europe—and I have taken some pains to ascertain their recorded opinions—who does believe in the civilization of the Turks, in their progress, and their capability of development. A good deal has been said by my hon. Friend to show that the Turks, after all, are not such bad masters, and that the Christians are not in a very disadvantageous position. I hold in my hand a report on the condition of the Christians in Turkey, which has been laid before us by our Consuls in Turkey, and which shows, I think, conclusively, on one vital point, what is the state of things. I allude to the question of the admissibility of Christian evidence in courts of law against Turks. My hon. Friend has referred to Mr. Longworth, our Consul at Belgrade. I had an opportunity of making his acquaintance, about twenty-seven years since, at Constantinople. I believe Consul Longworth deserves all the credit that my hon. Friend has given him for his zeal, truthfulness, courage, and devotion to his duty. But Consul Longworth is an enthusiast—I had almost said a fanatic—in his love for the Turks and his hatred for the Russians. He began life with such a morbid horror of Russian power and Russian conquest, that it by degrees enlisted him on the side of the Turks, whom he regarded as a bulwark against the Russians. From the time of his expedition into Circassia—for though a civilian he committed himself to the perils of a campaign—he has shown himself an ardent and enthusiastic enemy of Russia, and friend of Turkey. Therefore, I take his statements with all the alloy which is due to a person of his strong predilections. [The hon. Gentleman then read an extract from Consul Longworth's despatch, dated 14th July 1860, in which that gentleman admitted that Christian witnesses were excluded from giving evidence in Turkish courts of law, while on the other hand there was an organized system of Mohammedan perjury to supply their places in the Mussulman courts of law.] Similar testimony is given by our Consul at Bucharest. He says, that as the law is at present administered, the testimony of a Mohammedan gipsy will be taken, while that of the wealthiest and most intelligent Christian will be rejected. The Christian population are, in a word, outlaws. Do hon. Members realize to themselves the state of things in which the majority of the population in Turkey—that which is the most intelligent, the most progressive, that which comprises all professions, all the foreign trade, that which, in fact, makes up all that is civilized in Turkey—is not allowed to give evidence in a court of law against a Mohammedan for any crime that may be committed against them. Only realize to yourselves the interior of a province like Bulgaria or Bosnia, where some of the marauding Mohammedan police, or brigands—for they are both of the same character — enter a Christian village, and rob and murder, or commit the last outrage upon the wives or daughters of the poor peasants—those ruffians cannot be convicted on the evidence of Christians. My hon. Friend the Member for Southwark has said that this was the old state of things, and that to mention this matter is like talking of the condition of the Jews in this country in the thirteenth century. Now I received, so recently as yesterday, a letter from Dr. Sandwith, who risked his life and sacrificed his health in defence of the Turks at Kars, and which might have been written in anticipation of the very language used by my hon. Friend, and this is an extract from that letter—

> "As a traveller in Turkey of only two years ago, I can assure you (and you may quote me if you like) that the Christians are still obliged to bear degrading badges of subjection in the interior of the country. They are to this day distinguished in their dress, saddles, and horses, and they dare not adopt any of the distinguishing marks of the Mussulman. They dare not wear white turbans, or yellow shoes; their houses are marked, and they frequently lose their lives from robbers, because they dare not carry arms. I remember a case in which a Christian, having lost many sheep from robbers, at last loaded a gun and kept it by him. The next time the robbers came he fired and killed one. This Christian was publicly executed for having shot a Mussulman."

This is the latest intelligence from Turkey. My hon. Friend shakes his head, but he must allow me to tell him that I put the evidence of Dr. Sandwith on a par with his own. The hon. Gentleman alluded to a point bearing on this question—namely, the capitulations between the Turkish and other Governments, by which Christians from foreign countries, residing in Turkey, became extra-territorial, and are allowed to carry their own laws and administration with them; and he speaks of the great disadvantages to Turkey of having these mixed tribunals in that country. There is no doubt it is a very great evil; and probably the hon. Gentleman remembers that at the Conference in Paris in 1856, when the last arrangement respecting Turkey was made, the Turkish Ambassador made a strong appeal against the perpetuation of those capitulations, giving foreigners a distinct jurisdiction in that country. It was admitted by all the Members of that Conference that it was an evil which ought to be abated, and it was suggested, that as they were then admitting Turkey into the system or concert of European States, that was a good occasion for providing for the future removal of that anomaly. You will see that, in the despatches of Sir Henry Bulwer from Constantinople he constantly alludes to the evil effects of these capitulations. He says that there are separate jurisdictions for all the Christians who reside there, and an appeal has been made to put an end to that state of things, on the ground that it interferes with their system of taxation. What did Lord Russell say in answer to that? Well, my hon. Friend shakes his head at the testimony of his chief. I want to know to what extent his incredulity goes about the character of Turkish administration. Lord Russell, writing to Sir Henry Bulwer on the 12th May 1860, says—

> "But there is one thing which must not be forgotten; the capitulations rest on the principle that Turkish rule and Turkish justice are so barbarous that exceptional privileges are required. No one would think of asking for separate tribunals for Englishmen in France, or for Frenchmen in England; but so long as law in Turkey is undefined, so long as pashas are allowed to sell

justice and protection, so long will the privileges of consular tribunals be necessary."

And what have we done during this Session? If hon. Gentlemen will read the blue-books that have been presented to them, they will find more than a hundred pages devoted to a code of laws for administering justice to Englishmen in Turkey. I find that the order of the Privy Council on the subject begins with this declaration—"Whereas her Majesty has jurisdiction and authority in Turkey." You will not trust the meanest of your subjects in Turkey under the Turkish authorities. My hon. Friend knows that the towns of the Levant swarm with Maltese and Ionians, our fellow-subjects, entitled to our protection. He knows that they are to be found in Smyrna, in Alexandria, and in Constantinople, that they constitute the vagrant and least reputable part of the population of those places, and are the source of perpetual trouble and annoyance to our Consuls; but not one of them would be allowed to be tried by the Mohammedan tribunals, if he committed an act of treason, or insulted the religion of the country in which he resided. Will the hon. Gentleman tell me that is a proper position in which to leave the native Christians of Turkey? Is that a state of things that we should exert our powers of diplomacy to maintain there? Upon what theory are we doing this? I suppose it is upon the assumption that some amelioration is going on. My hon. Friend says that the Turks are never heard here—he says they do not send us pamphlets—it is only the Servians, he says, that distribute pamphlets, and make us hear their case. But if we do not hear the Turks, we hear what their friends say of them. If we did not read the despatches from Constantinople, we might be in ignorance of their condition, but who can speak so badly of the Turks as our representatives do? Will my hon. Friend tell me how far he agrees in the following extract from the correspondence of Sir Henry Bulwer? In a despatch dated April 24, 1860, Sir Henry Bulwer says—

> "Wherever the Turk is sufficiently predominant to be implicitly obeyed, laziness, corruption, extravagance, and penury mark his rule; and wherever he is too feeble to exert more than a doubtful and nominal authority, the system of government which prevails is that of the Arab robber and the lawless Highland chieftain."

That is the statement of our Ambassador in Constantinople, living amongst the Turks. What does my hon. Friend say—does he agree with him? [Mr. LAYARD nodded apparently in assent. The indication of approval was followed by cheers, and loud cries of "Hear, hear!"] The Christian population, in spite of all that is done to degrade them, are receiving some light in this age of great movements and startling events. The Christian population of Turkey are becoming more and more dissatisfied with this state of things. My hon. Friend (Mr. Layard) complains that there are agitators in Turkey who are endeavouring to excite the people into insurrection. A startling revelation of the same kind is made in the despatch of Earl Russell, dated July 3, 1862. He says—

> "All the great Powers must be aware that there exists a conspiracy scarcely concealed, in all the provinces of European Turkey, to throw off the rule of the Sublime Porte, and to substitute for it some kind of anarchy. Some persons talk of a Sclave, some others of a Greek Empire; all look to plunder, to power, to revenge, and bloodshed. In this position of affairs it is incumbent on the great Powers represented at Constantinople to give the most striking proof of their fidelity to their solemn engagements, their regard for a Power whom they have admitted into the European system, and their determination to preserve unbroken the general peace."

Sir Henry Bulwer also refers in two despatches to a threatened insurrection and conspiracy, in which the chiefs are indicated, and the line of policy defined by which the Christians are to unite against their Mohammedan rulers. Ought anybody to be surprised at that, when in the year 1863—nearly seven years after the Conference in Paris, which was to bring the Turkish Empire into concert with the European Powers—we are told that there must be a new code of laws to govern the meanest of our subjects when they reside in any part of Turkey? That is evidence that the Turks have entirely failed to do what we expected from them. Are we, then, to be surprised if the Christian natives of Turkey are beginning to feel that all hope from foreign interference is at an end, and that they must think of some other means of redressing their wrongs? Is it not consistent with all that happens in the world that when a nation is oppressed, the people will take the redress of their grievances into their own hands? Hon. Gentlemen attempt to frighten us by predicting the consequences that must follow from a civil war in Turkey. It is to produce great calamity and general disturbance all over the world. This is the raw-head-and-bloody-bones that is to be substituted for the former terror of Russia. Earl Russell says there is a plot for setting up a republican government on the Danube, and we are to be frightened by the apprehension of having a great revolution in Turkey. How are we to deal with it? I have a plan that is very simple. I would apply the principle of non-intervention to the case of Turkey, as we have already done in the case of Italy. We have indeed avowed that principle. At the Conference of Paris in 1856 nothing was more clearly defined as the result of the war in the Crimea than that there should be no future interference in the internal affairs of Turkey. There was an express provision in the Treaty of Paris that no European Power should have the right to interfere between the Turkish Government and its subjects. Then why not carry out that principle, and let it be acted upon? If you observe that principle, I do not see much fear of any great calamity to Europe from a revolution in Turkey. I regret that it should be necessary to pass through a revolution in Turkey, or that any nation should have to resort to a civil war to right themselves; but if there is to be a civil war in Turkey, which is the most likely result of the present misgovernment in that Empire, the wisest thing statesmen can do is to try so to arrange matters that the civil war in Turkey shall not spread to the neighbouring States. If the officials of our Foreign Office—which is the most conservative department in the world until it is invaded by public opinion from without—will address themselves honestly to this new state of things, and apply the principle of non-intervention—if there be a revolution in Turkey, they will narrow it within the territory of Turkey. There is a fallacy running through the whole of Earl Russell's despatches in reference to the internal difficulties of Turkey. He is constantly treating the question as if we had a particular engagement with the Sublime Porte, as he is pleased to call it, and that we are bound to maintain the power of the Sultan. There is no engagement of the kind. All we bound ourselves to do, and all the other Powers have bound themselves to do, by the Treaty of Paris in 1856, is, that we will respect the territorial integrity of Turkey. We have bound ourselves mutually to each other that we would not invade that territorial integrity. Let all the efforts of the Foreign Office be directed to carrying out that resolution honestly. Let England and France come to a clear understanding on the subject. My opinion is that England and France are acting under a complete delusion in regard to each other's intentions in the East. I do not believe that England has a desire to appropriate any part of the Turkish Empire. If any portion of the Turkish territory were offered to this country, this House would with unanimity reject such an offer. We have too much of what I will call extra-territorial possessions already. The French opinion of us is the same as our opinion of them. The French believe that England would aggrandise itself at the expense of Turkey, and we believe the same of France. Now, I do not believe that France has any more desire to get possession of part of Turkey than we have; but if the two nations would understand each other on the subject, how easy it would make the diplomacy of Europe on this important question. Then England and France might say to Austria and Russia, "Here are we, France and England—we have no desire of territorial aggrandisement, and you, in the same way, are bound not to interfere." Prussia and Italy would no doubt join with France and England in that view, and by such a course you would simplify the question of Turkey. A civil war in Turkey—so insignificant in itself, in its commerce, and in everything that can affect the civilized world—which did not spread to neighbouring countries, might occur with little more effect on the destinies of mankind than if it happened in the interior of Africa. That which gives such vast importance to the Eastern Question is the danger of other countries quarrelling over the carcass of Turkey. Besides avoiding such a danger, how much better it would be for the domestic government of Turkey if France and England properly understood each other. The rivalry of France and England has been a perpetual source of discord in that country. Every British Consul, every Minister and *employé*, in Turkey, feels sure that he will be pleasing those in authority at the Foreign Office if he places himself in opposition to France. That is known in Turkey, and the hands of both parties are paralysed when they ought in conjunction to exercise a beneficent influence in that country. I will give you an instance. After the horrible massacre in Damascus, Lord Dufferin, an able and accomplished nobleman, went out there as the representative of England. Knowing his intelligence and humanity, no person can doubt that he went with feelings of indignation at the outrage that had been perpetrated. Everybody must know that Lord Dufferin entered on his task with feelings of indignation against the Government under which it had taken place; but when he arrives on the field of action, he seems to be more preoccupied with the question how the French troops were to be got out of the country than how redress could be obtained for those persons who had suffered. There was one fact illustrative of this point. In one of his despatches he speaks of a Mr. Graham, from whom he had derived information respecting the massacre in the Lebanon. He says that in the course of a conversation which Mr. Graham had with one of the Druse chiefs, who had been the chief instigator of the massacre of the Maronites, the Druse chief admitted that they were under the impression they were doing something most acceptable to England, because by destroying the Christians they were weakening the French influence in the country. If the views of England and France were known to be in accord on the question, it would prevent any such feeling as that. I say, if any such atrocity as the massacre of Damascus should occur again, I would wish it to be known that the English nation would rejoice if the French Government would send from Toulon half a dozen regiments and ships of war to protect the Christians. If when that horrible affair took place, the French Government sent two or three regiments to Syria, the knowledge of it would penetrate to the remotest part of that country, whereby an act of humanity would be done, and the people of England would have no right to be jealous of such an act.

We shall probably be told that our Foreign Office is doing nothing to bolster up the Ottoman rule over the Christian races. But I maintain that both in a financial sense and by their diplomacy the British Government have lent themselves to the support of the Turks in a most material way. Something has been said on the subject of the finances of Turkey by my hon. Friend the Member for Southwark. I am not about to contend that we should do anything to prevent capitalists in the City lending their money to Turkey, or any one else; but we ought to be jealous of any one in the position of a Minister of the Crown doing anything which can indirectly be construed to mean the advocacy of a public loan to a foreign Government. My hon. Friend the Member for Southwark, speaking in March of last year, just before the Turkish loan was announced, stated that Turkey owed only £14,000,000 of public debt, and that her floating debt was very small. The funded and floating debt of Turkey amounts at this moment to £55,000,000, on which there is 8 per cent payable for interest and sinking fund, and therefore she has to bear an annual charge of nearly £4,500,000 on her debt. Mr. Foster and Lord Hobart, in their Report on the financial condition of Turkey, of December 1861, stated that the debt of Turkey was £41,000,000, and that there was a deficit the year before; while his hon. Friend (Mr. Layard), speaking in March 1862, with that Report in his hand, but before it was laid on the table of the House, seemed to indicate that there was a surplus. The noble Earl at the head of the Foreign Office lent his name in a most improper way; the subject was brought before the House at the time, though I did not happen then to be present; he allowed his name to be appended to a document which accompanied the circular inviting the subscription to the loan of 1862. The noble Earl did not say that the Government was responsible for the loan—on the contrary, he said that it was not—but he stated that English Commissioners had been sent out to assist the Turks in their finances. When we consider what superstitious importance people attach to anything that comes from an official man, especially from one in high position, we cannot doubt that the circular had great effect in producing subscriptions to that loan. My hon. Friend the Member for Southwark took an opportunity last year of telling us that Turkey was honest in paying the interest on her debts. I maintain that she has never paid any interest at all, because she has borrowed all the money to pay the interest. What had been the growth of the Turkish debt? In 1853 there was a loan of £5,000,000 guaranteed by England. In 1854 there was a loan of £5,000,000, for which the Egyptian tribute was pledged, and in 1858 another of the same sum, for which the customs revenues of Constantinople were the guarantee. In 1861 there was M. Mirès' loan of £3,000,000, and an internal loan of £3,000,000. In 1862 there was a British loan of £8,000,000 guaranteed by the revenues on salt, licences, stamps, and tobacco; and in the same year there were the internal loans called Consolidés, amounting to £12,000,000. In 1863 there was the Oppenheim loan of £1,000,000, and again in 1863 the last loan of £6,000,000, for which the balance of the revenues not pledged to the loan of 1862 was given as guarantee, making altogether £48,000,000. There must be added £7,000,000 of floating debt, so that the total debt is now £55,000,000. There had been great exaggeration in what was said respecting the scope of Mr. Foster's and Lord Hobart's financial mission to Constantinople in 1861. They were not sent out to administer the Turkish finances; they were sent out to do a little book-keeping for the Sultan, and they only got such accounts as the Turkish Government chose to give them; and all they did was to put them into a state of addition and subtraction. It is true they made a running commentary on the state of things in Turkey, and I must say their commentary is, on the whole, an unsatisfactory one, and I suspect, that if their statements had been published before the loan of last year, that loan would not have been received quite so favourably as it was. There is one fact mentioned in that Report which I think contains volumes of information. It says that the Minister of every department has power to issue any number of promises to pay, for which he is not called upon to give any account till they are paid. Nobody, therefore, knows what promises are issued, and there is no check or control upon the head of the department. You therefore do not know what has been actually expended, and the whole administration of finance is in a most unsatisfactory state. It is not my business to advise those who lend their money to the Turkish Government, but I cannot help thinking, considering that Lord Hobart and Mr. Foster stated that the income of Turkey in 1859, the last year for which the accounts were made up, was only between £9,000,000 and £10,000,000, and that she has now to pay for interest £4,500,000 a year, that from the moment you cease to lend to Turkey she must cease to pay the interest on her debt.

Now, there is one point connected with the prospects of Turkey of vital importance. All the accounts agree that the Mohammedan population is rapidly diminish- We might believe that my hon. Friend (Mr. Layard) and his noble chief (Lord Palmerston) could have a chance of seeing their hopes realized in the future improvement and prosperity of their darling Turks, if it were not for the fatal cause that the race is dying out. Thirty years ago Lamartine, not an unfriendly critic, spoke to this fact, exclaiming, "Turkey is perishing for want of Turks." The same opinion is expressed by a recent traveller, a calm and severe observer, Mr. Nassau Senior. Every authority concurs in stating that the Turkish element in the population is rapidly diminishing. Consul Blunt, who has known the country for forty years, in his report, states that in 1830 the Turkish population of Smyrna was 80,000, and that it is now 41,000; and that in 1830 the Greek population of Smyrna was 20,000, and that it is now 75,000. He adds—

> "Visit any town or village where there is a mixed Mussulman and Christian population: in the Turkish quarter no one is visible, no children in the streets; whereas in the Christian quarter the streets are full of children."

I think I can divine what is passing in the mind of my hon. Friend the Member for Southwark. He will be disposed to object, that if the Christians are doing so well, how is that consistent with the misgovernment which is alleged? My answer, in the first place, is, that the circumstance of the Turks having been a dominant race has been fatal to their improvement in the arts of peace, and to their commercial prosperity. They have depended upon the unrewarded labours of others, rather than upon their own exertions. There are other causes which check the growth of that race. The Turkish population supplies the whole of the army, and that forms one great cause why the Mohammedan element is diminishing. But the greatest cause is to be found in the demoralization of the people—in the evils of polygamy, and in those other vices which escape our criticism because they are not to be alluded to. I have in my hand a letter dated 8th January 1863, addressed to the Rev. Ernest Hawkins, secretary to the Society for Propagating the Gospel, by a gentleman resident at Constantinople, whose name I am willing to give to any Member privately, as a guarantee for the truthfulness of what is said. He says—

> "Few of you in England know the real horrors of this country. You will see what I mean when I tell you of my intention of getting a number of tracts written or lithographed, to be distributed by a Turk on the bridges, &c. The tract is to consist of such passages as the story of Sodom and Gomorrah. An Englishman, knowing multitudes of these people, reckons that not two in a hundred are guiltless; a Turkish teacher tells a European that those who are innocent are not more than two in a thousand. What is our policy supporting? I have been asked how the English, the most moral of all people, can sustain by their patronage these deepest immoralities? I replied

> that for the most part they are quite ignorant or unwilling to believe what they hear. . . . The decay of the Turkish people is going on rapidly; their numbers are fast decreasing, through vice, disease, neglect, and corruption."

Well, Sir, we are told that Turkey has vast resources. This is the latest phrase to justify the policy of these loans. It is true that she has vast natural resources. That is the mournful part of this subject. A country that might have been one of the most populous and prosperous in the world has been condemned to sterility by the misgovernment of its Turkish rulers. They are almost the only people whose history is without one redeeming feature. Mohammedans in other countries have done something in their day and generation. The Arabs have given us some contributions to civilization, but the Turks have done nothing but conquer and devastate. I will quote the opinion of a writer who will be listened to with pleasure even by those who do not agree with his views, on account of the masculine beauty of his language. Professor Goldwin Smith, of Oxford, says—

> "The great resources of the country, instead of being an encouraging feature in the case, are the most damning evidence against the character and government of the Turks. How abject must the race be under whose dominion a land, once teeming with wealth and swarming with population, has sunk to such a state of wretchedness as the provinces of Turkey present at the present day! If the country were naturally poor, there might be some hope for its lords. Its natural fruitfulness bids the advocates of their rule despair."

I do not wish to be understood as bringing any indictment against the Turkish Government, or as exciting a spirit of hostility towards its people. I want to have an English policy founded on justice towards the majority of the population of Turkey, and on our own honest and legitimate interest. For 400 years the Christians in Turkey have been suffering from Mohammedan misrule. They have passed through a process of retributive suffering, brought on, probably, by their own vices and immoralities; but they are evidently awakening to something more hopeful and better than the past. Now, I am not going to offer any panegyric upon the character of the Christian races in Turkey. God knows that no people could have been subjected to the Turkish Government without suffering great moral deterioration, but there is this distinguishing feature about the Christian population in Turkey—that they are a progressive people; that they are seeking to catch the light of Western Europe and to enter upon a new path of civilization and progress. God forbid that the policy of our Foreign Office should find itself for a moment enlisted in opposition to their aspirations!

THE CHANCELLOR OF THE EXCHEQUER: Though it is with some reserve I rise to take part in a debate which would have been more properly closed by my noble Friend at the head of the Government—whom, as the House is well aware, no cause but one absolutely imperative would have prevented from being present—I am unwilling to allow the speech of my hon. Friend the Member for Rochdale (Mr. Cobden) to pass without a few observations from this bench. At the commencement of that speech my hon. Friend remarked, with truth, that the Members of this House were growing to be more and more "the orators of the human race." Sir, I believe that remark to be as true as it is pointed, and no doubt it requires forbearance and circumspection on the part of this House to determine the occasions on which we shall enter into a discussion on questions of foreign policy. If our discretion in these matters is not properly exercised, great mischief may be done. At the same time, I think it is impossible not to see, that extended though the relations of this country are—relations extending over the whole surface of the globe—we must feel more especial interest in the concerns of nations respecting whose affairs circumstances have led us to take as active a part as we did in reference to the Turkish Empire at the time of the Crimean war. It is impossible not to notice that the discussion of this evening has been marked by a warm interest in the fate of the Christian subjects of Turkey. In some respects we may feel that this state of mind exhibits a reaction from that which naturally prevailed during the Crimean war. The fact that we were fighting shoulder to shoulder with the Turks against a Christian Power for what we thought and what I still believe to be justifiable and, indeed, necessary objects, tended to weaken our natural and legitimate sympathies with our fellow religionists in the East, and to throw the balance somewhat unduly, perhaps, on the side of the Turks. Far be it from me to say or do anything to check the expression of those sentiments, and I trust, if there were need, that I should always be ready to raise my voice in the same sense as my hon. Friend's; but at the same time we must recollect that we are bound to hold even the scales of Justice, and not to allow those legitimate sympathies to divert us from the calm and judicial temper in which we ought to address ourselves to the consideration of the difficult questions connected with our Eastern policy. I make no complaint, therefore, either that this discussion has been raised, or of the lively interest which has been expressed from all quarters in the condition of the Christian subjects of Turkey. To one part of the speech of my hon. Friend I listened with perfect satisfaction. I mean that part in which he spoke of the immense advantage which would result from a mutual confidence and co-operation between France and England in the conduct of Eastern policy. I will go all lengths with him in the general principle which he inculcated, and I will venture to say that Eastern policy cannot be conducted successfully with a view to European, to Christian, or to any other human interest, if there be a fundamental discord between England and France, and that the hope of our attaining to really satisfactory results must depend, in a principal degree, upon a thoroughly good understanding between these two leading Powers of Europe. Therefore, I agree entirely that nothing can be more unwise than that any one in authority—I do not mean in executive authority merely—but any one in a station of influence, should inculcate jealousies and suspicions between these Powers. But at the same time I must observe, that while there can be no doubt as to the general principle, in the application of it practical difficulties must arise. My hon. Friend referred to an important instance—that of Syria. What case could be more simple, more free from suspicion of intrigue than the interference of France at the time of these horrible massacres, not so much for religion as for the sake of common humanity. No doubt the case for interference was strong, and I rejoice that that interference did take place, by which I hope some guarantee was secured beyond the mere power of the Turkish Government against the repetition of these scenes. Yet I am bound to point out that for the very reason that the outrages were gross, that interference was loudly called for, and that that interference was justifiable, that it required to be watched with the utmost vigilance, and not altogether without some degree of suspicion. I am not now saying it was to be suspected because it was French interference. What I say with respect to France I would assert as cordially with respect to England if the case had been our own. If the cry of distress had first found an echo in this country, and we, instead of France, had undertaken that sacred work, still, from the fact that it involved a forcible assumption of power and authority in a foreign territory by a State not having the sovereignty of that territory, the extent to which that interference was to be carried, and the duration of time over which it was to extend, would have required to be cautiously, vigilantly, and suspiciously watched by all the Powers which were neighbours and even allies of the Power by which the interference was carried on. Therefore it is impossible to separate between the frank acceptance of the general principle that confidence ought to prevail, and the duty of that vigilance which must be exercised when, in an extreme case, extraordinary remedies have to be resorted to.

My hon. Friend (Mr. Cobden) attacked the conduct of the Foreign Office in late years with regard to Turkey. In the first place, he criticised the conduct of my noble Friend the Secretary of State and of the hon. Under Secretary with regard to a kind of testimonial which they were supposed to have given as to the solidity of the Turkish finances. Some time has elapsed since that proceeding, and I believe my hon. Friend the Under Secretary, having been attacked on the point in this House, has given a specific answer. It is plain that it has been no part of the desire of the Foreign Office that the people of England should be kept in the dark with respect to the state of the Turkish finances, because it was at an early period after the assumption of office by my noble Friend that the not injudicious measure was adopted of sending to the Ottoman Empire two highly capable gentlemen for the purpose of making an investigation, upon British principles, into the state of the Turkish finances; and of laying, of course with the consent of the Ottoman Government, the results of the investigation before the British people. Therefore, whether my hon. Friend may approve, or not, of particular expressions of opinion, he will admit that the Foreign Office has consistently pursued a course which was most likely to bring to the knowledge of this country the real condition of Turkish finances. But, if I am rightly informed, the result of the publication of the Report framed by Lord Hobart and Mr. Foster was not such as my hon. Friend would have supposed, for I understand that the loan made to Turkey since the publication of that Report has been made on terms more favourable than the loan which preceded it. No doubt the state of finance disclosed in that Report is not one which a critical financial eye could view with entire satisfaction; but, at the same time, the disposition which has been shown by the Turkish Government to allow a full and fair investigation into their finances appears to have inspired the money-lending people of England with a greater degree of satisfaction than could be balanced by any dissatisfaction which they might feel at the defective and imperfect financial arrangements of the Ottoman Empire.

In a large portion of his speech my hon. Friend made charges of a very broad character. He charged the British Government, through the medium of its organ for the management of Foreign Affairs, with a general indifference to the grievances under which the Christian subjects of the Porte are still known to labour, or even with a disposition to deny the existence of those grievances. I will venture to say that that charge is not borne out by the Papers laid before Parliament. If it were so, and if we had shown any lukewarmness in pressing on the Porte the removal of those grievances, then we should deserve the heaviest censures which my hon. Friend could pass upon us. If thoroughly understood, the principle of British policy, which no Government can venture even if so disposed to imperil, is that we should endeavour by every means in our power to uphold the civil and political privileges of the Christian subjects of the Ottoman Empire, and to improve, so far as we are able, these conditions. And this not for one reason only. I think the noble Lord who spoke so well to-night, in reminding us of the vigour of character displayed by Lord Stratford de Redcliffe in his recommendations to the Porte, was not guilty of any disloyalty to the Ottoman Government. It is not out of mere regard for the Christian subjects that we hold such language, but because we believe that the Ottoman race and the Ottoman Government are best upheld by such a course. That I am sure is a principle in asserting which I shall be supported in the strongest terms by every Member of Her Majesty's Government, and therefore I do not think my hon. Friend is borne out when he said we were endeavouring, by drawing vague pictures of impending anarchy, to frighten the House and the country into a support of the Turkish Government as it is. It is our duty, in compliance with the faith of treaties, to be loyal to the Turkish Government; but, for the reason that we desire to be loyal to them, it is our duty likewise to separate between that Government and its abuses. Nor am I at all sorry that the declarations made in this House to-night will have the effect of proving, if further proof were necessary, that whatever may be said by the British Administration to the Ottoman Government upon that subject is but the faithful expression of the feeling which is entertained by the representatives of the people of England, and by the people themselves. My hon. Friend, however, went on to recommend a policy. And here I have the satisfaction of saying that I am quite certain that my hon. Friend the Under Secretary would have nothing to object as regards the principle laid down by my hon. Friend the Member for Rochdale. His policy is a policy of non-intervention. Well, Sir, that is the policy of England. Only we must understand what is meant by non-intervention. We are not to intervene against the Christian subjects of Turkey. If it be true—and it may be true, but that is a question, and more or less a speculative or independent opinion—that the Christian subjects of Turkey are developing their energies at the rate conceived by my hon. Friend, I say it would be monstrous on the part of a Christian or of a civilized Government, or on the part of any Government at all, to presume to interfere for the purpose of checking that development. To interfere by friendly remonstrances for the purpose of removing grievances is one thing. It is, I apprehend, though the term "interference" may not be properly applicable, a course of proceeding recognized by the Treaty of Paris. But to interfere, which my hon. Friend seems to think has been the course or the intention of the Government, for the purpose of witholding from the Christians and giving to the Ottomans the influence, the strength, or any part of the social and political advantages which but for us would be the natural consequence of the growth of the Christians in number, intelligence, and wealth, is a policy which I am quite safe in renouncing and repudiating on the part of the Government, and on the part, I will presume to say, of my hon. Friend the Under Secretary of State. But with respect to non-intervention we are not prepared to depart from the principle which, for European purposes and interests, has been followed. The present, like previous Administrations, have deemed it a matter of general European concern, and therefore of British concern, that Turkey should not be made the subject of foreign intrigue and of foreign aggression. My hon. Friend used very strong language on this subject when he said that the people of England (I forget the exact words) had been in a state of disgraceful panic and cowardice with respect to apprehended designs of Russia on Turkey. It is not now necessary to go back to a discussion of the causes of the Crimean war, but I am bound to say that when we speak of non-intervention in Turkey—when we speak of repudiating all ideas of resisting the natural and general development in force, numbers, and intelligence of the Christians of that empire—we by no means mean to assert that the ancient policy of this country is to be repudiated, and that we hold it henceforth a matter of indifference what schemes are formed by any foreign Power against the existence, or against the territorial independence, of the Ottoman Government. And I am bound to say also, that while a real and lively sympathy does exist throughout the country for the Christian population of Turkey, on the other hand there does exist a belief that the principles on which the Crimean war was waged were sound principles, and that the question whether wholesale aggression from any European Power on Ottoman territory is to be permitted or not is a fair subject for consideration by the British Government, and for the adoption of such measures, whether of diplomacy or force, as circumstances may appear to the Government to warrant. My hon. Friend towards the close of his speech drew a deplorable picture of the general condition of the Turkish race. I ask not whether the description is in all respects accurate, or in some degree exaggerated. I am afraid, as regards the history of the Turks from the time of their first appearance in the Western world to the present day, he would be a very bold man indeed who was prepared to contend that their conquests and dominion have been favourable to the happiness of mankind or the progress of civilization. But, however that may be, what is the use of drawing these highly-coloured pictures, unless you recommend a particular policy? I will respectfully ask my hon. Friend himself whether descriptions of this kind, which, no doubt, are not difficult to draw, are altogether relevant to our discussion; if, in point of fact, our discussion is a discussion of men who wish to make the best of circumstances as they find them, and to take advantage of every favourable opportunity to direct the policy of the country, amid all the difficulties of the Eastern question, in such a manner as on the whole will tend to produce the least injury and the greatest good. If my hon. Friend is prepared to say the condition of the Turks, the history of the Turks, or the conduct of the Turks is still such that in his opinion the whole world ought to be permitted to pull down that which exists without the slightest regard to what follows, then, I confess, it is entirely in accordance with the argument of my hon. Friend. But we have got the fact of the existence of the Ottoman Power to deal with. Are we prepared to encourage a general crusade against that Power? It would be a total reversal of British policy. If we are not prepared to encourage that general crusade, then I say it is very doubtful whether it is prudent or whether it is advantageous to any of the interests involved to rip up the history of former times, or even to expose and lay bare the sores which are to be found in all societies, and which I freely grant are to be found in a grievous degree in that particular description of society—the present state of the Ottoman race—to make them the subjects of discussion in a political arena, and to bring to bear the feelings of hon. Members, rather than their judgment, in finding a solution of the circumstances and the best course dictated by expediency. As far as I may venture to express an opinion, it seems to me that nothing can be more plain in the first place than the duty of all Governments friendly to the Ottoman Empire to uphold the civil rights of the Christian subjects, and, nay more, I will venture to say not altogether to exclude from regard the condition of the Mohammedan subjects of that Government, with respect to whom the noble Lord opposite has very fairly stated that they bear no niggardly share of these abuses and oppressions. But, while upholding these rights, it is fair to recognize whatever improvement has taken place, and to endeavour to develop the energies and lead forward the spirit of improvement by gentle means, rather than by means of force; and, while not shrinking from a tone of decision, such as our traditional policy, the sacrifices we have made on behalf of Turkey, and our diplomatic engagements fully warrant, not holding language which can have no other effect than to render the existing authority in Turkey despicable in the eyes of its own subjects. With respect to predictions for the future as to what will happen between the Mussulman and Christian races, I confess it is a subject which, in the sphere of political discussion, should be received with great sobriety. Let us leave to Christian and Mussulman, as far as in our power, a fair and open stage, and let us discourage all attempts and acts for the repression of their natural energies. Let us firmly adhere to the ancient policy of this country, founded on the belief, that whether the existence of the Ottoman Empire in Europe be in itself desirable or not, it is a matter of profound European concern to take care that the destruction of that Empire be not made the means of introducing more serious evils and dangers more menacing than any which may attend its continuance. Let us avoid all presumptuous predictions as to what it may be, and as to the time which it may endure. Let us endeavour to inculcate on the Ottoman Government a spirit of liberality and justice, so as to induce it to seek its strength rather in the mild and equitable treatment of its Christian subjects, than in straining its power against them; but let us remember that with the general obligations of humanity and prudence in regard to the subjects of that Government must be combined those special obligations of good faith which we have undertaken towards the ruling authority itself, and the strict observance likewise of those wider considerations of policy which make us feel that Europe at large, and England as a great constituent portion of Europe, has a great, a living, and a vital interest in the disposal of those territories which constitute the dominions under the Ottoman rule.

Mr. DARBY GRIFFITH said, that with reference to the fortress of Belgrade, he wished to observe that there was no country in the world in which such a garrison was maintained under the same conditions. Its existence was at once a source of vast expense to Turkey and of great irritation to the Servians. He further contended that it ought to be the object of the Government to combine, as far as possible, the interests of the Porte with the goodwill of the people with whom she was placed in contact.

Mr. GREGORY said, that he would not weaken the force of the debate, with which he had every reason to be satisfied, by making any observations, but would merely ask leave to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Supply *considered* in Committee.

House *resumed.*

Committee report Progress; to sit again on *Monday* next.

EXPIRING LAWS.

On the Motion of Mr. Peel, Select Committee *appointed*, "to inquire what temporary Laws of a public and general nature are now in force, and what Laws of the like nature have expired since the last Report upon the subject, and also what Laws of the like nature are about to expire at particular periods, or in consequence of any contingent public events, and to report the same, with their observations thereupon, to the House."

And on June 3, Committee *nominated*, as follow:—

Mr. Peel, Mr. Massey, Sir Stafford Northcote, Mr. Attorney General, Mr. Solicitor General, Mr. Adderley, Mr. Cowper, Sir William Jolliffe, Colonel French, Mr. Baring, Mr. Williams, Mr. Brand, and Lord John Manners:—Power to send for persons, papers, and records; Three to be the quorum.

AFRICAN SLAVE TRADE TREATY BILL.

Bill to carry into effect an Additional Article to the Treaty of the seventh day of April one thousand eight hundred and sixty-two, between Her Majesty and the United States of America, for the suppression of the African Slave Trade, *presented*, and read 1°. [Bill 144.]

House adjourned at One o'clock,
till Monday next.

HOUSE OF LORDS,

Monday, June 1, 1863.

MINUTES.]—*Sat First in Parliament*—The Viscount Gordon (the Earl of Aberdeen), after the death of his Father; The Lord Arundell of Wardour, after the death of his Father.

Public Bills—*Committee*—Savings Banks Monies * (No. 97).

Report—Savings Banks Monies * (No 97).

Third Reading—Stock Certificates to Bearer * (No. 100), and *passed;* Customs and Inland Revenue * (No. 101), and *passed.*

RAILWAY ACCIDENTS.

QUESTION.

Lord BROUGHAM said, the dreadful accident that had recently occurred on the Brighton line must be in the minds of their Lordships, and must lead to serious reflection as to the speed at which railway trains were driven on English lines. He was decidedly opposed to occasional legislation, because where men were legislating in order to meet particular cases they were apt to take a one-sided view, dictated by the circumstances of the particular case. But this was not a new question. His noble Friend the Secretary of State for Foreign Affairs would remember that at the Social Science Congress held in Liverpool a few years ago, he (Lord Brougham) called attention to the expediency of limiting the speed at which railway trains should be allowed to travel, and he supported his view by reference to the great safety with which railway trains travelled on the Continent, where the speed scarcely ever exceeded twenty-five miles an hour, and recommended that the maximum speed in this country should not be allowed to very much exceed that rate. But mercantile men present at the Congress, totally objected to his plan, and were against any restraint on the speed of railways, and were in favour of perfect liberty on that subject. While he (Lord Brougham) was of opinion that twenty-five or at most thirty miles an hour was as fast as trains ought to go, those gentlemen thought that they ought to be allowed to go at a speed of fifty, sixty, or even seventy miles an hour. His own opinion, however, remained unaltered, and it had been strongly fortified by the lamentable accident that occurred on Friday last. He wished to ask his noble Friend the President of the Council, Whether the Government had it in contemplation to bring in any measure for the purpose of fixing the maximum speed of railway trains?

Earl GRANVILLE replied, that he was not aware that the Government had any intention of bringing in a measure such as that suggested by his noble and learned Friend. He had very great doubts whether it would be desirable to interfere by legislation in the matter; but if the Government were to bring in such a Bill, he thought that it would have very little chance of passing both Houses of Parliament. Nothing could be more natural than that the noble and learned Lord's attention should be recalled to this subject by the dreadful accident on the Brighton line; but as to the limitation of speed to twenty-five or thirty miles an hour, he thought it would be found that danger in respect of the rate at which trains travelled arose more from efforts on the part of engine-drivers to make up for lost time, than from the general rate of speed at which the trains were intended to travel.

The Earl of HARDWICKE said, he was perfectly satisfied that any legislation in the direction referred to would be surrounded with great difficulty and inconvenience. It appeared to him that the great danger arose from the practice sometimes of detaining the starting of the trains beyond the time mentioned in the tables. He was quite confident that the only way of remedying the danger was by requiring the railway authorities to observe strictly the time-table in the departure and arrival of trains. If the railway officials were compelled to start the trains at the moment set down in the tables, whether there were passengers or not, he was of opinion there would be little danger of railway accidents; and he thought Government might very fairly call upon the managers of railways to insist upon the times, which they themselves arranged, being strictly adhered to.

BRAZIL.—QUESTION.

The Earl of DERBY said, that since the House had last met the country had been informed of the withdrawal of the Brazilian Minister, owing to the refusal of Her Majesty's Government to offer any explanation of, as he (the Earl of Derby) thought, the somewhat violent course taken by our Representatives in Brazil, in consequence of the unfortunate differences that had arisen with that country. He had not given any notice of his question, and he did not, therefore, think it would be convenient at that time to enter into a discussion upon the subject. He would merely ask the noble Earl, Whether he intended to lay before the House any Correspondence that had taken place, or papers relating to any transaction which had arisen between this country and Brazil since the production of the last papers on the subject?

Earl RUSSELL said, that he then held in his hand the correspondence which had taken place with the Brazilian Minister, and by command of Her Majesty he was about to lay it on the table. The Brazilian Government complained not so much of the orders issued by Her Majesty's Government, as of the mode in which those orders had been executed in Brazilian waters. Certain demands had been made founded upon that complaint. With regard to the other questions of difference, the arbitration which had been agreed upon was now proceeding.

BURIAL SERVICE.

MOTION FOR AN ADDRESS.

LORD EBURY (in moving, according to notice, an Address to Her Majesty for the issuing of a Royal Commission to consider what steps should be taken to obviate the evils complained of as arising from the present compulsory and indiscriminate use of the burial service of the Church of England) said, that if the Motion which he brought forward on the 19th of last month was not of a very attractive description the question he now desired to bring under their Lordships' notice was not more so. Three years ago he made a proposition to the House to address Her Majesty for a Royal Commission, for the purpose of considering the grievances and anomalies which were alleged to have arisen, in consequence of the Liturgy, the formularies, the canons of the national Church, and the statutes appertaining thereto, having remained during two centuries almost entirely unaltered. He had called their Lordships' attention to the subject two years previously; but it was not until the year 1860 that he submitted a definite Motion to the House, and the Motion was in the very words which had obtained unanimous acceptance in this House in the first Parliament of William and Mary. To this appeal their Lordships made no response. He did not attribute this to any want of liberality on the part of the House, still less to any failure of interest in that great national institution our Established Church; but he believed the difference to have been owing to the circumstance that the public mind at the period of the Revolution was so completely pre-occupied by the enormous evils which had resulted from the Statute of Uniformity and the violence and persecution which had naturally flowed from it, that they were proportionably anxious to mitigate without delay the misfortunes which that generation had witnessed; whereas in 1860 persecution had so entirely died out, that the question presented itself under a totally different aspect. Unfortunately, as he ventured to think, with most of the ablest divines of our Church, the reforms then proposed under such encouraging auspices were destined to end in entire failure, so that the acts of the evil period of the Restoration in regard to Church legislation had come down to us with but little change, and had been bequeathed to us as a fatal legacy. It was true that subsequently persecution was stilled, but only to be succeeded by an age of apathy, indifference, and irreligion, such as our Church history fortunately afforded no parallel; and now the danger to our National Church, though much less apparent, was, he firmly believed, not a whit the less real. The inference he drew from the debates of 1860 was, that the question was not really understood. Had it appeared that it was the opinion of the House that no alteration in these matters were necessary or expedient, he should have hesitated long before he again presumed to bring this subject before their Lordships. Such, however, was very far from being the case. The late Archbishop of Canterbury candidly avowed, that to many of the alterations suggested, had he only himself to please, he should not have objected; while the right rev. Prelate who presided over the diocese of London specified two or three which he was willing to consider; and a noble Lord (Lord Lyttelton) protested against the idea of finality in regard to legislation of this character. Thus, then, after taking counsel with those who had assisted him in this undertaking, it was decided that it would be better if, instead of asking for a discussion upon the various and complicated questions involved in his original notice, he submitted them one by one to their Lordships' House and obtained for them a separate consideration, commencing, however, with that without which, he ventured to tell their Lordships on a former occasion, all other concessions would be comparatively valueless —he meant a modification of the terms of subscription. The result had shown the wisdom of this course. Instead of having a hostile memorial with 10,000 clerical signatures to encounter on the 19th of last month, he had not a single adverse Petition — instead of finding the right rev. Bench united against his Motion, four Bishops supported it, while of the remaining twenty-four only eleven appeared to vote against it. It was under these circumstances that he now presented himself to their Lordships to beg their concurrence in an Address to the Queen in the terms which stood upon the Order Book—that Her Majesty would be pleased to appoint a Royal Commission to consider the evils which are now complained of as the result of the present compulsory and indiscriminate use of the Burial Service of the Established Church. Their Lordships were probably aware that no one took exception to the Burial Service when used, as it was intended to be by its framers, over the remains of one who had died in the full assurance of faith, and in full communion with the Church to which they nominally belonged. But the law might be said to enforce its indiscriminate use. The law directed that it should be used over every one who was not excommunicate or who had not wilfully murdered himself; and as it considered those only excommunicate against whom the censures of the Church had been pronounced, and coroners' juries generally acquitted the others, it might be said that practically the use of it was compulsory and indiscriminate, and that it must by law be read over every body that was presented for burial. If he had stood upon firm ground on the former occasion, he stood upon still firmer now. Not only was there no adverse memorial of the ten thousand, no adverse Petition, but he was able to appeal to a powerful and vigorous remonstrance presented to the Archbishop and Bishops against the continuance of the law as it now stood, not signed by obscure individuals, but by some 4,000 clergymen, giving the deliberate, well-weighed opinions of some of the highest names among the ministers of the Established Church. It was absolutely necessary for a right understanding of this case that their Lordships should be accurately informed of the circumstances which gave rise to this manifestation of opinion. It appeared that in the month of December 1848 a notorious evil-liver was turned out of a tavern in Cambridge at a late hour at night in a state of such intoxication that, falling into a ditch, he was suffocated. These facts were bruited throughout the town. Mr. Dodd, the clergyman upon whom the duty of burying the corpse would have devolved, very naturally felt that he could not read the Burial Service over him without creating a public scandal; for the words he would have had to use were—

> "Forasmuch as it hath pleased Almighty God of his great mercy to take unto himself the soul of our dear brother here departed. . . We give thee hearty thanks that it hath pleased thee, O God, to deliver this our brother out of the miseries of this sinful world. . . We beseech thee, O Father, that when we shall depart this life we may rest in Christ as our hope is this our brother doth."

Without going further into the circumstances of this case, which showed that Mr. Dodd acted throughout with great forbearance and propriety, it seemed that he declined to read the service, and in consequence was cited before the Court of Arches, and eventually—for, as was usual in those wretched courts, judgment was not pronounced till sixteen months afterwards—he was sentenced to suspension for six months, and to pay the costs of the suit. Their Lordships would not be surprised that this created a great deal of attention in the town and University of Cambridge. Bearing these circumstances in mind, their Lordships would be fully able to comprehend the force of the memorial and remonstrance which was circulated for signature by seventeen distinguished residents of the university. The remonstrance was addressed to the right rev. Bench. After the usual preface, it went on to say—

> "We beg to express our conviction that the almost indiscriminate use of the Order for the Burial of the Dead, as practically enforced by the existing state of the law, imposes a heavy burden upon the consciences of clergymen, and is the occasion of a grievous scandal to many Christian people. We, therefore, most humbly pray that your Lordships will be pleased to give the subject now brought under your consideration such attention as the magnitude of these evils appears to require, with a view to the devising of some effectual remedy."

This memorial, expressing the deliberate opinion of some of the ablest and most conscientious clergymen of the Established Church, was circulated, and was signed by seven persons who had since been promoted to the episcopal office, either here or in the Colonies (among others by the Prelate who presided over the diocese of Lincoln) and by a host of deans, archdeacons, rural deans, professors, and canons—in all, 3,814 clergymen signed it, of all parties. No one that he ever heard of objected to the service itself being used, as it was intended, only for those who died in full assurance of the faith and in full communion with the Church whose minister had to commit the body to the ground; but the law compelled the reading of it over every one, almost without exception. That memorial was presented to the right rev. Bench in 1853. He now proceeded to approach a part of this subject with feelings of extreme pain. Their Lordships were apparently pleased the other day to acquiesce in the gratifying opinion expressed by the most rev. the

Primate, that he (Lord Ebury) had conducted the discussion of these difficult and delicate subjects, so far as he was concerned, with propriety. It was his earnest desire to maintain his character in that respect; but it was not easy to speak with moderation of the document to which he was then about to call their attention—he meant the response made to this memorial by the right rev. Bench. Not that it excited feelings at all akin to anger, but feelings of humiliation that our national Church was in such a state of utter and complete helplessness. On February the 8th, 1852, the Archbishop of Canterbury wrote to the Secretary of the Committee to say that he had submitted the memorial to a large assembly of Bishops, and added—

> "The Bishops generally sympathize with the memorialists in the difficulties to which they sometimes find themselves exposed with reference to the terms of the Burial Service; but I am sorry to report further, that the obstacles in the way of remedying these difficulties appear to them, as at present advised, to be insuperable."

The only ray of hope he saw in that answer was in the words "as at present advised." Ten years had passed since that time was present, and he trusted that the year 1863 would bring counsel and advice very different from that which unfortunately prevailed in 1852, and that no opposition would be given to granting complete relief to the clergy, who were liable to be placed in the painful dilemma either of disobeying a law to which they had given their unfeigned assent and consent in the most solemn form, and rendering themselves liable to heavy penalties, or else to utter words in the presence of the Almighty which, in fact, they knew to be untrue. He did not wish to weary the House, still less to harrow up their Lordships' feelings with a recital of other cases similar to that at Cambridge—some of the most revolting description, which were known to him in great numbers—but he must refer to two instances within his knowledge, where the clergymen, feeling the pressure of this grievance, and having appealed to their superiors, and being unable to obtain relief, quitted the ministry altogether. What, then, was the course he proposed to the House to pursue? It was the nomination and appointment of a Commission by the temporal head of our Church to consider the subject with a view to making such changes as would obviate the existing evils, and give the clergy permanent relief. If it could be demonstrated that no satisfactory change could be suggested, and that this difficulty was incapable of solution, blank as indeed would be the prospect, he could not expect their Lordships to vote with him; happily, however, no such proposition could be established. Indeed, to talk of insuperable obstacles now could only provoke a smile. Did the alteration of this service involve any disputed doctrine, such as the vexed question of regeneration in the Baptismal Service; were it a dispute as to whether prayers should or should not be offered up for the dead—one might imagine a difficulty—but in a case which simply concerned words to be said over a dead body, in reference to which Protestants thought nothing said or done could make the smallest difference, the idea of insuperable difficulty was simply chimerical. The obvious course was, preserving all the sublime portions of the service and all those expressions so consolatory to the sincere Christians who were present as mourners, to remove those two or three sentences which pronounced an opinion as to the spiritual state of the deceased at the time of his death. And, as if to cry shame upon their procrastinations and scruples in this respect, this service was ready made to their hands in the form of the Protestant Episcopal Church of the United States. It was so like our own that any of their Lordships who were to read it, not having previously examined their own, would scarcely be able to detect the difference. It had been in use now about eighty years, and he believed he was stating the exact truth when he said that it had given universal satisfaction. This, then, was his case. He had demonstrated to their Lordships the existence of a most serious grievance. He had shown the deep and settled feeling of discontent which it had engendered. He had pointed out the course to pursue in order to remedy this evil, which was not only constitutional, but it was the only means known to the constitution to effect the object in view; for, from the time of the Reformation to the present hour, no alteration whatever had ever been made in the Book of Common Prayer without the appointment and deliberation of a Royal Commission. He did not ask them to declare what the alteration should be, but only to inquire into the practicability of alteration; and he had shown, that so far from there being any serious obstacle in the way of change, they had actually in their hands the means of putting an end for ever to this painful, distressing, and scandalous evil. Before he concluded he begged their Lordships' attention—and particularly that of the right rev. Bench—to one fact. When the question of these reforms and alterations was agitated at the period of the Revolution, to which he had alluded, their Church might without exaggeration have been called the only constituted Christian community in the land. Since that time a gradual, silent, but complete change had supervened; true it was that our Church was still dominant, that it retained all the honours, all the emoluments, all the prerogatives, all the advantages which temporal powers could bestow; but in this year 1863, so far from being the only Christian community in this country, it was but one of several large, wealthy, influential, thoroughly organized Christian denominations, which not only had a recognised status in this country, but which sent out intrepid missionaries to carry the Gospel message to the remotest corners of the globe. The reasons of this remarkable change it was not his intention now to discuss. He merely commended it to the thoughtful consideration of their Lordships, and especially of his right rev. Friends; but of this he was certain, that if these respectful remonstrances and petitions for redress were met, not by convincing reasoning, but by worn-out arguments against all change, or by confessions of hopeless inability, the day was not far distant when, as far as the national Church was concerned, the sky would be charged with clouds and darkness, and the danger, which was now at a distance, would be upon us, and even at our doors. He begged to move—

> That an humble Address be presented to Her Majesty, praying for the Appointment of a Commission to consider what Steps should be taken to obviate the Evils complained of as arising from the present compulsory and indiscriminate Use of the Burial Service of the Church of England.

THE EARL OF DESART said, he rose to protest against the discussion of the subject in their Lordships' House at all. However august an assembly that House might be, it was composed principally of laymen. Such a question should originate in an ecclesiastical assembly, who could best take cognizance of any grievance that was alleged to exist, and give every consideration to it, and then, if necessary, their Lordships and the other House of Parliament might legislate upon it. He was not about to enter into the merits of the question. He only asked their Lordships to defer the further consideration of the Motion to that day six months.

THE ARCHBISHOP OF CANTERBURY said, that in approaching this question he desired to assure their Lordships that he had some difficulty in ascertaining in the first instance what was the precise nature of his noble Friend's proposal, and it was only since he came into the House that his noble Friend had put a paper into his hand, giving him some notion of the direction which his remarks would take. There was this difficulty in the Motion, that it seemed to open the very wide, grave, and extensive question of a revision of the Liturgy. For that, he thought, they were scarcely prepared at the present moment. However, he was very glad to hear his noble Friend say that there was no objection to the Burial Service in itself, and he (the Archbishop of Canterbury) could not conceive that any form of Christian burial would be proposed that did not contain the expression of hope that the person whose body was committed to the dust had that forgiveness of his sins which was expressed concerning him; but no doubt considerable difficulty was felt on the part of many of the clergy in pronouncing these words in some cases; he entirely and fully acknowledged that. He had been consulted frequently by clergymen on the subject, and he had said this, that if a person died in the commission of known sin, or in the open avowal of unbelief, or having recently declared that living in wilful sin he was determined not to abandon it, nothing would induce him to pronounce these words over him. He would stand the risk of all the penalties of the law rather than do so. Now, undoubtedly, he acknowledged that was a state of things which seemed to require some alteration. He was prepared to admit as much as that; but, at the same time, he should be very sorry to give his consent to this Motion at the present moment, not having thoroughly ascertained what its precise object was. He had therefore to request, on his own behalf, and on behalf of his right rev. Brethren, that some further time would be given to consider the course they should pursue. He trusted, under these circumstances, that his noble Friend would not press the Motion to a division, in the hope that the matter would be considered by those who, he agreed with the noble Earl opposite (the Earl of Desart), were the persons most competent to deal with it.

EARL GRANVILLE said, he felt bound to protest against the doctrine laid down by the noble Earl opposite (the Earl of Desart) that that House was to be debarred from considering a question relating to the Church Establishment. That Establishment was one in which they all had a deep interest, and it certainly concerned the laity as much as the clergy. His noble Friend who opened the debate (Lord Ebury) had made a very clear case in regard to some of the words used in the Burial Service, showing how entirely circumstances had altered since the time when that service was first promulgated, the inconvenience of some of the words used in it, and the repugnance of feeling which many of the clergy felt to read them over the body of a person who had died reprobate. He must say that his noble Friend's argument had been very much strengthened by what had fallen from the most rev. Primate as to the position in which a conscientious clergyman might be placed. After the expression of the most rev. Primate, it was obvious that this had become a very grave matter. But he did not think it desirable that the Crown should be recommended to issue a Commission to deal with this very small portion of the question of a revision of the Liturgy. He hardly knew whether, in regard to this particular service, there was enough to be done or considered to make it essential to have a Commission. The point appeared to him to lie in a very small compass. But, at the same time, if they were once to engage in a revision of the Liturgy, they would open up a very wide field of discussion. The question was one of the greatest possible importance, and no Government would be justified in entering into it upon a mere incidental issue. It would have to be considered not only with reference to what was right or politic, but with a due regard to the feelings of the great majority of the laity and clergy of the country. Upon these considerations, he was certainly not prepared that evening to vote for a Commission, even if that were the most expedient mode of dealing with the subject. So far, however, from thinking that the noble Lord deserved reproof for raising that discussion, he thought the noble Lord had done wisely in bringing it forward. Such questions were better discussed than stifled —they would engage the attention of the public; and he knew of no place where they could be discussed with more propriety than in their Lordships' House. He, however, concurred in the suggestion of the most rev. Primate that it would be more expedient, with regard to the opinions which the noble Lord himself entertained, if he would withdraw his present Motion.

THE ARCHBISHOP OF YORK said, he desired to address a few observations to the House, as the noble Lord who brought forward the Motion might have created the impression on their minds that the question was one which might be easily dealt with, whereas there were most serious difficulties involved in it. There were three possible views which might be taken of the Burial Service. First, the words of hope might be used over every deceased person; secondly, they might be omitted altogether; and thirdly, they might be used in some cases and not in others, at the discretion of the minister. These words were now used for all. The use of them was not the pronouncing any sentence, but the simple expression of a hope. That hope might be in some cases extremely small; but he believed that the experience of most ministers was, that though there were some difficult cases, there were very few indeed in which they would be willing to omit the words altogether, and thereby convey the impression that there was no hope. The words of hope might be omitted in all cases; but he must confess that the Burial Service would be discharged of its meaning if that were so. What Christian man, on the death of one who had lived and died in the fear of Almighty God, would abstain from expressing over his grave, for the comfort of his friends, a hope and trust that he had pass into a state of happiness? Without that, the Funeral Service would be almost devoid of meaning. But take the third supposition, that the minister was invested with a discretion to omit the words of hope in certain cases. By so doing they would create 12,000 or 14,000 judges — and judges of what?—judges of the eternal salvation of the man committed to the grave. Moreover, the words were addressed not to the deceased but to the suffering and sorrowing relatives, who were then enduring the weight of the Almighty hand, and surely no man would wish at such a time to add to their sorrow. It was said that there was a solution of the question found by the American Church, and he would make it his business to examine that solution at a future time. As to the case of Mr. Dodd, the suggestion was that words of general hope might have been used, because Mr. Dodd could not possibly express any hope. Would that have been a remedy? In his (the Archbishop of York's) opinion it would be better to omit all service than to use words of general hope over one who they thought had departed in a hopeless state. The late Archbishop of Canterbury had stated that the difficulties in the way of a satisfactory solution were insuperable; he the (Archbishop of York) hoped that this expression might be too strong; and certainly he was not disposed to recommend that this question should be altogether stifled; and, indeed, he would not desire to retain his seat in that House if he were to be compelled to sit still and say "No" upon all questions relating to the Church. He, however, very much doubted whether a Royal Commission was the best way of dealing with the question. He entirely admitted, that so long as the Church was a State Church, that House had a perfect right to take cognizance of these questions. That was the price—if it was a price—which they paid for State countenance and support. But he contended that the difficulty involved in this question was not one requiring fresh evidence or fresh facts for its elucidation, and he doubted whether a Royal Commission was the best mode of dealing with it. The whole matter lay in a very small compass, but within that compass it was extremely hard. He did not wish to dictate to the House; but as the question was one which ran back into canon law at every step, he thought it might be as well—if anything were left to be originated in his part of the House—that those whose special duty imposed on them the task of considering these words might have the opportunity of seeing whether something could not be suggested for solving this difficulty. He trusted that the noble Lord would not press his Motion to a division.

THE BISHOP OF LONDON begged to add his request to the noble Lord not to press his Motion to a division. The noble Lord must see, from what had been stated by the most rev. Prelates, that this question was not likely to drop; and he would be sorry indeed if the Episcopal Bench were to be placed in a position merely of opposition to all Church reforms. They knew that the strength of the Church of England consisted, not in maintaining any untenable outwork, but in a firm adherence to all such doctrines as could stand the fullest investigation, and thus enabling the Church to defend itself against every attack. But this particular question was not yet ripe, and certainly could not receive a satisfactory solution from the present proposal. It was indeed a question of very great difficulty. The noble Lord had said that the whole difficulty had been settled by the American Prayer-book. He examined the American Burial Service that morning, and did not think it met all the necessities of the case. He did not think that the omission of a word here and a word there would alter the hopeful character of the Service; and the American Service, like every other Service, rested on a hopeful and charitable hypothesis, and therefore would not meet a case like that of Mr. Dodd. As to the case of Mr. Dodd, he thought it important that it should be known that no one could proceed against a clergyman for not reading the Burial Service except with the concurrence of his own bishop. He understood it was now settled by the Church Discipline Act that all such proceedings must originate with the bishop; and it was inconceivable that a case was likely to arise in which any member of that bench would proceed against a clergyman under such circumstances as had been supposed. This view of the matter was strengthened by a decision given a few years ago by the Court of Queen's Bench, when a *mandamus* was sought to be obtained to compel one of the present bishops to issue a commission under the Church Discipline Act, when the Judges ruled, as he (the Bishop of London) understood, that it was in the discretion of the bishop whether he should or should not issue a commission to try the case. Suppose, then, a case like that of Mr. Dodd occurred. This was not an improbable thing, for only last Saturday one of his own clergy told him that a difficulty of this kind had occurred to him; and he (the Bishop of London) stated to him, that if the matter had been laid before him, he would have advised the clergyman either to act exactly as he had done or in a similar way, and that then he, as bishop, would have been ready to take upon himself any difficulties arising out of the matter. It was for that Bench to relieve the clergy from any such conscientious difficulty; and if, in such cases as had been alluded to, there were to be a prosecution, he felt confident it would be against the bishop, not the clergy, under the present state of things. He thought they were indebted to the noble Lord for having brought this question under their notice. Discussion on the subject was very much wanted, and he believed would lead, in course of time, to satisfactory results. Only a few years had elapsed since it was supposed to be something like laying hands on the sacred ark to touch the Fifth of November Service, but that service no longer existed, and he was not aware that anybody regretted its abolition. So with the matter now before their lordships. When the proper time had come, when sufficient discussion had taken place, he had no doubt it would be effectually dealt with by Parliament.

THE DUKE OF MARLBOROUGH agreed with the noble Lord who had introduced this subject, that it was one of a simple character, capable of an easy remedy, and he therefore regretted that so complex a plan should have been proposed as that of a Royal Commission to deal with a few sentences in the Burial Service which pressed upon the conscience of the clergy. He hoped the noble Lord would see fit to act upon the advice which had been tendered to him from all sides, and not ask their Lordships to divide upon his Motion. There was another, and he believed a better mode of dealing with the subject than that which the noble Lord had recommended. Convocation was a body lawfully constituted; it had the sanction of antiquity; it had the power and the ability to deal with all questions of this kind, and he could not help thinking that the propriety of an alteration in the Burial Service would more fitly be considered by an ancient and responsible assembly like Convocation than by a body of Commissioners appointed *pro hâc vice.* The time allotted to Convocation for its deliberations was very limited; but that time, short though it was, had been made good use of, and the discussions of Convocation were of the most practical nature. He was glad to see that steps had already been taken to obtain the co-operation of the sister Province of York, and he trusted they would be attended with success. When this subject was again brought before the House, he trusted it would be to press upon the responsible advisers of the Crown to recommend that Convocation should be deputed to consider it; and he thought it would be conceded that to no other body could more appropriately be referred all those questions which the noble Lord was in the habit of bringing under the notice of their Lordships.

THE BISHOP OF ST. DAVID'S joined in the wish which had been expressed by every preceding speaker, that the noble Lord would consent to postpone the consideration of this subject. The noble Lord had suggested, as the object of a Royal Commission, that it should consider what steps should be taken to obviate the evils arising from the compulsory and indiscriminate use of the Burial Service of the Church. Admitting the existence of the evil—and he thought the noble Lord had made out his case in that respect—there were obviously two modes of dealing with it. The evil might be remedied, either by giving a larger discretion to the clergy, who complained of the compulsory and indiscriminate use of the Burial Service or by altering the language of which they complained so as to adapt it to every case. It appeared from his own statement, that the noble Lord had never contemplated the first of these courses; and, in point of fact, he wanted a Royal Commission simply for the purpose of considering what change should be made in the language of the Burial Service. It was for that single object that the noble Lord proposed to give to a limited number of persons the power of dealing with difficulties which, as he believed, were insuperable. For his own part, he (the Bishop of St. David's) did not believe any Commission would be found to agree upon any recommendation whatever; while he was perfectly sure that whatever alteration they did agree upon would not satisfy the Church, because the body so selected could not be clothed with the necessary authority for the purpose. He concurred with the noble Duke who spoke last, in thinking that Convocation, however imperfect its constitution might be, was infinitely better adapted for such a purpose than a Royal Commission. He trusted that Convocation would take this subject into its serious consideration, and that the issue of its deliberations would be something calculated to remedy the evil and satisfy the wishes of the clergy.

EARL STANHOPE protested against the language of the noble Earl below him (the Earl of Desart), who, in a very summary manner, and without giving any reason for his opinion, had objected to any discussion in that House on Church questions. He thought their Lordships would stand up in defence of their privileges; and he further thought that a House which comprised within it the heads of the Church was one in which Church questions might be discussed with great propriety as well as great advantage There could be no doubt there was a grievance to be redressed in connection with the burial service, for cases must frequently arise in which the language of the Liturgy was inapplicable and ought not to be used. But what he desired to call attention to was, that the most rev. Prelate (the Archbishop of Canterbury) himself had said, that he would in certain cases advise his clergy to encounter the heaviest penalties rather than read the full service which the law enjoined. It therefore appeared that the law of the Church of England ordered one thing, and they had heard from the lips of the most rev. Prelate another. Now, if the Liturgy bade clergymen to read the service in all cases, and the bishops told the clergy on no account to read it in certain instances, that was a state of things which could not be tolerated or endured, and it ought to be altered as soon as possible. He entertained considerable doubt whether the appeal recommended by the noble Duke, to Convocation, would be altogether satisfactory. In the first place, the Irish branch of the United Church was not represented in Convocation at all: in the next place, practically, the Convocation of York had up to this time been debarred from any part in ecclesiastical questions; so that the entire decision would be the decision of the Convocation of Canterbury. It seemed to him that the best course would be, on deliberation and in concert with the heads of the Church, to address the Crown, entreating Her Majesty to refer it to the Bishops of the Church to consider whether any and what changes in the service might profitably be made. That course would not commit Parliament to their decision. It would do no more than ask the right rev. Prelates to consider the subject; and if they agreed to a Report, to lay that Report before their Lordships' House for consideration. He thought that this was the best means of meeting an evil which could no longer be denied. He trusted that the noble Lord who brought forward this Motion would accede to the almost unanimous wish of the House and withdraw it. For himself, he was of opinion that legislation in such matters should take place in full concert with the right rev. Prelates. It was with their concurrence and assistance that he had been successful in removing from the Prayer-book the political services which deformed and defaced the Liturgy of the Church of England. It was by the same system—by yielding what was indefensible and by correcting what was plainly seen and felt to be amiss—it was by this system only that the Church would be always, as he desired to see it, firmly fixed in the affections and confidence of the people.

LORD CHELMSFORD said, that the right rev. Prelate (the Bishop of London) was not correct in supposing that proceedings against clergymen for not performing the Burial Service could only take place at the instance of the bishop. If that were the case, it would obviate many of the difficulties by which the case was surrounded. The Church Discipline Act, on which the right rev. Prelate relied, was passed in 1840, whereas the proceedings alluded to did not take place until the year 1848, and the office of the Judge, as it was called, was promoted, not by the bishop, but by an individual, and the son of the deceased party refused to take any part in the proceedings.

THE BISHOP OF LONDON said, he had taken particular pains to make himself master of the facts of the case referred to, and with this view he had written to Cambridge. He was informed that the Bishop of Ely was the promoter in the case, although it was true that he acted at the solicitation of another; and he could not doubt but that if the noble and learned Lord considered the matter carefully, and especially if he referred to the case of Golightly *v.* the Bishop of Chichester, he would find that the matter stood as he (the Bishop of London) had stated.

EARL RUSSELL said, he thought his noble Friend (Lord Ebury) would do quite right to comply with what appeared to be the general wish of the House and withdraw his Motion; but, at the same time, he thought that there ought to be some understanding in that House as to the manner in which the question was to be left. The most rev. Primate had said, that in a certain case he would advise a clergyman not to read the whole of the Burial Service; but the noble and learned Lord opposite (Lord Chelmsford) gave it as his opinion, that if the clergyman acted on that advice, he was liable to penalties in a court of law. It was perfectly obvious that that was a state of the law which ought not to remain unchanged. With regard to the discretion of the clergy, he was much struck by the observation of the most rev. Prelate (the Archbishop of York) who pointed out the dangers of giving the power of discrimination and discretion to the clergy, and how great would be the pain to the surviving relatives, where the clergyman in a manner excommunicated the deceased by refusing to read the Burial Service over him. He hoped, therefore, that the remedy adopted would not be such as to give a discretion to the clergy in general. Nor was he disposed even to grant the clergy a discretion under the control of the bishops, because that would be a source of embarrassment to the right rev. Prelates, and might still lead to very painful scenes. He had been told that in the Roman Catholic Church it was held that there was no one, no matter what might be his sins, of whom it could be said that he died in such a state as to preclude all hope, because at the very last moment there might be such a change as would entitle him to entertain some hope of salvation. That was at all events a charitable doctrine; and he should be sorry to see the service altered in such a way as would not be consistent with Christian faith and charity. The mode in which the matter could best be remedied was, in his opinion, that the right rev. Bench should consider what alteration should be made in the Service. After all, it might not be such an alteration as would require discussion in Convocation. All that was wanted was a prudent and well-considered form of words, varying as little as possible from the present; and no men were so well qualified for suggesting what change should be made as the right rev. Prelates. At the same time, it must be remembered that this was a question which could not escape being discussed in Parliament; for any recommendation of the right rev. Prelates could only be carried into effect by legislation. He did not doubt that the subject would be discussed with the gravity and fairness to which its importance entitled it; and he believed that a previous consideration of it by the Bishops would enable their Lordships to approach it in a more satisfactory manner.

THE BISHOP OF LLANDAFF said, he hoped the noble Lord would yield to the wish generally expressed, and withdraw his Motion; but if he were resolved to press it to a division, he (the Bishop of Llandaff) was prepared to support it, seeing that it was not open to the objections which he felt bound to offer to the more comprehensive Motion which the noble Lord brought forward three years ago. When his noble Friend then brought forward his Motion for an Address to the Crown, it was expressed in very vague and comprehensive terms, and upon that very ground the late Archbishop of Canterbury proposed an Amendment to defer the question to that day six months. Another objection taken to the Motion was, that considering the circumstances under which Convocation then existed, it was not likely, if a Report of a Commission had then been remitted to that body, that even the judgment of Convocation would have been satisfactory to the Church at large; and a third objection was, that very great danger would be incurred if Convocation approved or modified the Report of the Commission in submitting a Report embracing such a variety of topics as were referred to in the Motion to the consideration of Parliament. These motives chiefly influenced him in voting against the Motion for an Address. But the present Motion did not appear to be open to any one of those objections. Instead of referring to the whole subject of the Liturgy and the Canons, it was confined to one specific object — the Burial Service. With regard to Convocation, the noble Earl opposite (Earl Stanhope) was under a misapprehension. The circumstances of the Church were no longer the same as they were in 1860. The Convocation of the Province of York actually met for the despatch of business under the presidency of its most rev. Prelate; and though it was true that the Irish Church did not enjoy the same privilege, still the hope might be entertained, if the suggested Commission were issued, that the same indulgence might be extended to the Irish branch of the Church as had been granted to the Church in this country. So that if Convocation were to meet for the consideration of any Report of a Commission of their Lordships, they would possibly have the advantage of the united opinion of the whole Church of England and Ireland on the subject. Moreover, though he should object to the indiscriminate submission to Parliament of the whole question of Liturgical revision, as proposed in 1860, he should feel no difficulty in asking Parliament to accede to any Resolution proposed in the first instance by a Royal Commission, and afterwards recommended by Convocation, in reference to this one particular subject. The question, then, was whether an evil existed, whether any practical remedy could be suggested, or whether the objections to framing a remedy were insuperable. It was impossible to deny that an evil existed, when 3,840 clergymen declared that their consciences were aggrieved by the step they had to take in conformity with the law, and when Bishops and Archbishops, on being appealed to, though sympathizing with those clergymen in the distress they felt, could not suggest any means of relief. Just about the time when he entered the University a most fearful instance of the operation of the law occurred. The driver of one of the coaches from London to Cambridge was known, on account of his dreadful profaneness, by a certain name; and that unhappy person having been accidentally killed, a great number of persons assembled to witness the burial and to ascertain whether the burial service would be read over the body of a man who had been notorious for his profaneness. It was read, and he believed it was read amidst the execrations of the people. About eighteen years ago, in London, a burglar, in attempting to break into a house, fell through a skylight, and was killed on the spot. The unhappy man was buried in the Churchyard of St. Clement Danes, and he recollected the extreme indignation which was manifested and the tumult which occurred when the burial service was read over the malefactor. In South Wales there were 297 Baptist chapels, and their Lordships might therefore easily believe that there were a great number of Baptists. From the very principles of those persons it must happen that a great number of that community died unbaptized. Many were brought to the churchyards to be buried, and the course of wisdom on the part of the clergy in such cases was not to make any inquiry; but, unfortunately, officious persons would sometimes force on them the knowledge that the person they were asked to bury had died unbaptized. A case of the kind occurred in one of the largest parishes in his diocese, where the clergyman was informed at the house where the dead body of a girl lay that the girl had never been baptized. Under these circumstances the clergyman declined to perform the burial service, and the result was that the dissenting minister of the place accompanied the funeral profession to the churchyard, prayed over the body in the street, and a riot occurred. When such cases could be quoted, it must be admitted that an evil existed. But did any remedy exist at the present moment? The only remedy which he had heard suggested was, that the clergyman should brave the law, take on himself to disobey it, and subject himself to the penalties which that course would entail. The right rev. Prelate who presided over the diocese of London had stated, that by the Church Discipline Act it was in the breast of the diocesan to determine whether proceedings should be taken against a clergyman in this matter; while, on the other hand, a noble and learned Lord (Lord Chelmsford) had intimated that such was not the law. If, however, it were law, it was a most anomalous state of affairs that the bishop should not be the enforcer of the law, but the defender of a person who braved it. This would be quite a sufficient reason for altering the present condition of things; and he asked, was there any insuperable objection to altering the law? In 1860 it was stated that the clergymen who signed the memorial did not mean to petition for a change in the service itself, but for a change in the law. Now, inasmuch as the noble Lord did not, in his present Motion, speak of any change in the service, but only asked that the evil complained of might be remedied, he should feel bound—in accordance even with the opinion of those clergymen—to vote for the Motion, as the recommendations of the Commission might lead to the terms, not of the service, but of the law being altered. He would never consent to any alteration of the Baptismal Service, but the Burial Service was in a different position, as it did not necessarily imply doctrine. The right hon. and rev. Prelate had said that there were only three modes of doing it, but he (the Bishop of Llandaff) thought there was a fourth; and he did not think, that if the terms were slightly altered, we should lose any very important part of the service. But the object in view might be effected without any alteration of the words. At the end of the Communion Service there was an explanatory Appendix stating that certain expressions do not mean the corporal presence of our blessed Lord; and in the same way, at the end of the Burial Service an explanatory Appendix might be added, stating that by the use of certain expressions in the service we did not mean to imply any judgment on the particular case of the departed, but merely the hope we entertained in respect of those who died in the faith of Christ. Though he concurred in thinking it was advisable for the noble Lord not to press his Motion, he should feel conscientiously bound to support him if his proposition was pressed to a division.

EARL GREY said, he thought his noble Friend had better not press his Motion; for it was fitting that their Lordships, and particularly the right rev. Bench, should have more opportunity of considering this subject before they were called on to pronounce an opinion on it. But, on the other hand, he must say it would not be satisfactory to him if this Motion was got rid of by being simply withdrawn or negatived. He thought, that after the discussion their Lordships had heard, they must all feel that there was a grievance which urgently required a remedy. Having listened attentively to the discussion which had taken place, it appeared to him that the course proposed by his noble Friend would eventually be found to be the best, if not the only one for arriving at a solution of the difficulty. He did not know any mode of dealing with it that was so little open to objection as a Royal Commission. He owned, that looking at what was the actual constitution of Convocation, and looking also, he was grieved to say, at the general tone of the proceedings of that body, he was not of opinion that the discussion of the question by Convocation would lead to any settlement that would be satisfactory to the mind of the nation at large. Then as to the suggestion that the question should be referred by the Crown to the Bench of Bishops, he did not think that could be acted on. Was the Crown authorized by law to give to the Bench of Bishops a sort of corporate existence apart from Convocation? He very much doubted that Her Majesty's servants would think themselves justified in advising the Crown to do anything of that kind. He knew there were occasions when the Crown consulted their Lordships in an informal manner; but that was quite a different thing from the reference suggested in this case. He hoped, that if a Royal Commission was appointed, the laity would be represented in it; and the course he now ventured to suggest was, that the debate should be adjourned until such time as would afford the Government and their Lordships opportunity for a fuller consideration of the question. He would suggest that the further discussion should be adjourned to that day four weeks, when their Lordships would be better prepared to come to some conclusion either for or against the Motion of his noble Friend.

LORD LYTTELTON said, that what he had heard in the course of the discussion had strengthened his inclination in favou of the Motion of his noble Friend. At the same time, he did not dissent from the opinion that the Motion should be withdrawn or adjourned. If the debate was adjourned, he hoped it would be adjourned in the hope that the Bench of Bishops would take the question into their consideration. Certainly the subject was ripe for inquiry; for it was ten years since it was admitted from the Episcopal Bench that the grievance existed; and it was very rare that their Lordships refused inquiry into a grievance that was admitted to exist on the part of a great number of the community. He was too much impressed with the vitality of the Church of England to suppose that it was like a house of cards, and that if one were touched, the whole fabric would fall down. For his own part, he would refer this question to Convocation—not to be settled, but inquired into, believing, in opposition to the noble Earl who had just spoken (Earl Grey), that considerable confidence would be felt by the clergy and the country in the result of such an inquiry. Questions of doctrine ought not to be dealt with in the first instance by Parliament, but this was not a question of doctrine; and, as an undoubted grievance existed, some remedy ought to be applied to it.

THE BISHOP OF CASHEL said, that the first thing necessary was to constitute a body representing the United Churches of England and Ireland, which would be provided with the authority, and, from its composition, would be qualified to enter upon this important inquiry.

THE LORD CHANCELLOR said, that the observations that had fallen from the most rev. Primates and the right rev. Prelate who presided over London had given to this question a momentous importance, and had rendered it impossible that this subject should be left without some moral assurance that the right rev. Bench would submit some proposition on this subject that was likely to be satisfactory to the general body of the clergy. To the right rev. Bench the clergy were bound to pay obedience. The most rev. Primate had that evening declared, that if the body of a man who had committed great crimes were brought to be buried in a parish in his diocese, he would advise the clergyman to incur all the penalties of the law rather than read the burial service over that body. To that the right rev. Prelate the Bishop of London added—though he (the Lord Chancellor) thought he was mistaken—that a clergyman might do this with impunity, because his Bishop would sanction him in it by declining to put the law in force against him. Now, those were momentous declarations; and if they passed to the clergy of the land—unless they were qualified, and unless they were accompanied with a promise of action on the part of the episcopal bench—they would find hundreds of instances giving rise to great difficulty and great indecency, if the clergy of the land, acting on the advice of their illustrious guides and monitors, should refuse to comply with the law. Now, he would beg the right rev. Prelate to observe what would be the position of a clergyman in his own diocese who should refuse to obey the law. Some individual would come to him as Bishop of the diocese, and call on him to enforce the law. The clergyman would say, "I have acted on the sanction and approbation of my diocesan;" and in that case the right rev. Prelate, to be consistent, should himself be compelled to incur all the penalties of the law rather than enforce that law which the clergyman was bound to obey. And this, more than anything else, led the House to believe that the matter could not rest where it was now—the avowal from the heads of the Church that the Church would rather be martyrs to the law than obey the law. But this was a matter not to be lightly dealt with, because if they altered, the law they must alter it in a manner satisfactory to those who desired the change. He had found in all those ecclesiastical matters it was easy enough to arrive at the conviction that there was a well-founded complaint, but it was far from being easy to discover what to do when they took that complaint into consideration. He thought it incumbent on the right rev. Bench to come forward with something like a unanimous opinion, and a unanimous representation of what they desired to see substituted for the present service, and what they could assure the House would be satisfactory to the clergy in their dioceses. He would not press the matter further; but, in the language of that service to which they were referring, he was sure their Lordships would agree with him, that if they postponed the consideration of this question, they would only bury it for a time "in the sure and certain hope" that the right rev. Bench would provide the means of re-considering it in a manner satisfactory to their consciences and to the members of the Church of England.

Lord EBURY, in reply, thanked his most rev. Friend for the frank and candid manner in which he had met this question. In reference to what had fallen from the most rev. Prelate to the effect that he had not given him sufficient notice, he begged to state, that in order that the subject might be thoroughly understood, he had placed his Motion on the paper the first night of the Session, and had consulted his most rev. Friend as to the day on which it would be most convenient to submit it to the House. As to the form in which he had introduced the question, not only did common sense point out that a Royal Commission was the best mode of preliminary inquiry in those cases, but, from the time of the Reformation, in every question which affected the Book of Common Prayer all legislative action had been preceded by a Royal Commission. After what had taken place, he was willing to withdraw his Motion, upon the solemn assurance that as early as possible—and if possible, this Session—a measure would emanate from the right rev. Bench on the subject.

The Archbishop of CANTERBURY said, his right rev. Brethren and himself were prepared to give their serious attention to this important subject, and they were resolved to ascertain, as soon as possible, the views and feelings of the Church. They would also undertake, as speedily as they could, to devise some means of remedying an admitted grievance, but they could not pledge themselves to do so within a given number of weeks, and he doubted whether it would be practicable to do so during the present Session.

Motion (by leave of the House) *withdrawn.*

House adjourned at a quarter before Eight o'clock, till To-morrow, half past Ten o'Clock.

* * *

HOUSE OF COMMONS,

Monday, June 1, 1863.

MINUTES.]—Select Committee *nominated*—Holyhead Harbour (*List of Committee*).

Supply—*considered* in Committee—Civil Service Estimates.

Public Bills—*First Reading*—Trout, &c. Fishing (Scotland) [Bill 146]; Navy Prize Money, &c. [Bill 147].

Second Reading — Dockyards Protection Act Amendment (*Lords*)* [Bill 130]; Port Erin Harbour (Isle of Man)* [Bill 123]; African Slave Trade Treaty [Bill 144].

Committee—Vice Admiralty Courts (*Lords*)* [Bill 129]; Cayman Islands (*Lords*)* [Bill 132]; Alkali Works Regulation (*Lords*)* [Bill 135]; Offences (South Africa) (*Lords*) [Bill 113], *on re-committal*—R.P.

Report—Vice Admiralty Courts*.

Considered as amended—Inland Revenue [Bill 97], *re-committed, considered,* and *reported* [Bill 145].

Third Reading—New Zealand Boundaries* (*Lords*) [Bill 112].

Withdrawn—Admiralty Court (Ireland)* [Bill 141].

CHINA—DEATH OF LIEUTENANT TINLING.—OBSERVATIONS.

Lord CLARENCE PAGET said, he wished to correct an answer which he gave on Friday night to the hon. Member for Aberdeen (Colonel Sykes) with regard to the death of Lieutenant Tinling. He had then stated that the Admiralty had received no official intelligence with regard to the death of that Officer. He found that on the day previous there had been received a letter addressed by Captain Dew to his superior officer, Admiral Kuper, in these terms—

> "*Encounter*, Ningpo, March 16.
>
> "Sir,—I deeply regret having to report to you the death, on the 5th instant, of Acting-Lieutenant Tinling, of this ship, from the effects of a wound received under the walls of Shou-hing. The service has lost in him a most gallant and promising officer.
>
> "I have the honour to be, Sir,
> "Your most obedient servant,
> "R. Dew, Captain."

These were the only particulars which the Admiralty had.

RECRUITING IN IRELAND FOR THE FEDERALS.—QUESTION.

Mr. HOPWOOD said, he wished to ask the Chief Secretary for Ireland, Whether Her Majesty's Government are aware that the Federals are recruiting in Ireland, and if they are preparing to take active steps to prevent it?

Sir ROBERT PEEL, in reply, said, the Government had no direct information that recruiting had taken place in Ireland. They were aware that agents from the United States had been there, but of course there was no open recruiting. A great number of young men had certainly gone from Ireland to America, and on inquiry the Government had found that their passages had been paid; and there was every reason to suppose that those Irishmen, in America, had been induced by the Federal authorities to enlist in the Federal army. The Government here were following the matter up, and were taking steps to discover the delinquents if they could. The recruiting, however, was not done openly.

OFFICERS OF THE LATE INDIAN ARMY.

QUESTION.

Mr. MONCKTON MILNES said, he would beg to ask the Secretary of State for India, Why any Officer of the late Indian Army, now doing duty at the depôt at Canterbury, should not receive the pay due to his rank; and whether it is the intention of Her Majesty's Government to make up to the Widows and Orphans of the Indian Service the loss they have sustained by the late decision respecting Lord Clive's Bounty? These Officers had been doing duty, he believed, at the recruiting depôt at Canterbury, and had received no pay whatever since the 1st of June last. On the 13th of May the army agents of one of these Officers received a letter from the Secretary of War's Office, stating that before replying it was necessary to communicate with the Under Secretary of State for India; but that an answer would be sent as soon as a reply to that communication was received. Upon another application being made, it was stated that no reply from the Under Secretary of State for India had been received, and the agents deemed it useless to make any further application. There was one case which he knew—["Order!"]—He considered it necessary to explain the case, in order to make the Question intelligible. ["Order!"]

Sir CHARLES WOOD, in reply, said, he could not complain of the hon. Gentleman attempting some explanation of the Question on the Paper, because he could not learn, as far as the War Office and the India Office were concerned, that there was any Officer doing duty at Canterbury who was not receiving the pay due to his rank. He apprehended that his hon. Friend was mistaken as to the facts. What his hon. Friend probably referred to was the case of some Officers whose furlough had expired, and who had not been put on active duty in England. Indian Officers, on coming home, were allowed to remain on furlough, receiving certain pay for two years and a half. If they overstayed their furlough, they received no pay. They were no longer entitled to pay under the Indian regulations, and they were not entitled to pay until they commenced doing duty under the War Office regulations. If this was not the case to which his hon. Friend referred, he could not guess what it was. But for the pay of officers serving at the depôts of the new regiments the War Office, and not the India Office, was responsible. With regard to the second Question of his hon. Friend, the decision of the House of Lords was only given two or three days ago, and a point was to be referred for the opinion of the Judges. The amount paid to widows and orphans of the Indian Service was twenty or thirty times as much as was received from the Clive Fund.

Mr. MONCKTON MILNES said, that the right hon. Gentleman had not answered his Question, which was, whether any Officer or Officers have been doing duty at Canterbury without receiving any pay?

Sir CHARLES WOOD said, that so far as he could learn from the War Office —for it had nothing to do with his own Department—no such state of things as that to which the hon. Gentleman referred existed, and no Officer was doing duty at Canterbury who was not in the receipt of full pay.

VENTILATION OF THE HOUSE.

QUESTION.

Mr. DARBY GRIFFITH said, he would beg to ask the First Commissioner of Works, Whether, in this warm weather, it would not be better to ventilate the House by the ordinary expedient of opening the windows, rather than continue the present mode of shutting the windows carefully, and pumping up the air from the cellars below the House?

Mr. COWPER said, in reply, that his opinion was, that if the windows were open, as the hon. Gentleman proposed, the air that would be admitted would be neither so cool nor so pure as that which they were then enjoying. The hon. Gentleman, however, was mistaken in supposing that the air they were breathing was pumped out of the cellars. If the hon. Gentleman would take the trouble to go below, he would see that the air was admitted in the most natural and easy way into a chamber below the House; there it was purified; it was washed in a shower of pure water; and the air was afterwards passed through a canvas filter where all the floating impurities were intercepted. It then came through the floor, and travelled at the rate of one foot a minute towards the ceiling. The air was warmed in winter by hot water, and was iced in summer. The object Mr. Goldsworthy Gurney had in view was, that the air in all seasons should be of an equal temperature, that of 64 degrees of the thermometer. Sometimes it varied a degree above or below, rarely more. On Friday evening last, when the hon. Member wished to have the windows open, the thermometer outside the House was 78 degrees, while the thermometer in the House was only 65 degrees; so that if the hon. Gentleman's suggestion had been adopted, the windows would have admitted into the House air that was 13 degrees hotter than they were then breathing. He (Mr Cowper) had no prejudice against opening windows, and the rule adopted was, when the air outside was near 64 degrees, the windows were opened; when it was considerably more, they were kept closed.

Lord ROBERT CECIL inquired what the cost of the ventilation was.

Mr. COWPER said, he could not state it separately, as it was included in the warming and lighting of the House.

Mr. DARBY GRIFFITH said, that one of the floors through which the air came was the floor on which they trod.

Mr. COWPER said, that the floor and its covering were frequently washed and cleaned.

THE GALWAY PACKET SERVICE.

QUESTION.

Mr. KEKEWICH said, he wished to ask the Secretary to the Treasury, Whether the Galway Packet Company are bound by their contract to land Mails as well as Telegrams when the Ships call at St. John's, Newfoundland?

Mr. PEEL said, in reply, that he understood the question of the hon. Member to refer to the Contract of 1859, inasmuch as no other had yet been concluded. In accordance with that Contract the Government thought the Company were bound to land Mails as well as Telegrams at St. John's, but the Company took a different view. The Galway Packet Committee, he might add, which sat in 1861, declined to express any opinion as to the true construction of the Contract, which was the point on which the matter depended.

INTERNATIONAL EXHIBITION BUILDING.—QUESTION.

Lord JOHN MANNERS said, he rose to ask, Whether any arrangement has been come to between the Government and the Commissioners of the International Exhibition with respect to the appropriation of the Exhibition Building to any particular use?

Sir HENRY WILLOUGHBY said, he wished to know when the subject would be brought on?

The CHANCELLOR of the EXCHEQUER, in reply, said, an arrangement had been come to by the Government, but subject to the approval of Parliament, to purchase the interest of the Commissioners in the site of the Exhibition Building, and a certain limited portion of the building which belonged to them, for £120,000; and likewise to purchase the interest of the Contractors in the residue of the Building, not including the annexes, which were altogether separate, but nearly the whole of the residue, for £80,000. His noble Friend (Viscount Palmerston), who had just entered the House, would perhaps in the course of the evening be able to fix an early day when the subject would be brought under the consideration of Parliament.

Viscount PALMERSTON: I propose to bring on the matter on Monday next.

RELATIONS WITH BRAZIL.

QUESTION.

Sir MINTO FARQUHAR said, he wished to ask, Whether the Government proposed to lay on the table further papers in reference to Brazil?

Mr. LAYARD said, he had that afternoon laid on the table further papers on the subject.

Mr. SEYMOUR FITZGERALD said, it was only within a very short time he had heard—and he had heard it with great regret—that Diplomatic relations had been interrupted between this country and Brazil. Under the circumstances, he was anxious to know whether the Government would lay on the table any additional Papers relative to the misunderstanding with Brazil, so that the House might be able to form an early judgment as to the state of affairs.

Mr. LAYARD said, he must repeat the statement which he had made in the absence of the hon. Gentleman, to the effect that additional Papers had already been laid on the table.

CASE OF THE "ALEXANDRA."

QUESTION.

Mr. HOPWOOD said, he wished to ask, in the absence of Mr. Attorney General, the noble Lord at the head of the Government, When the case of the *Alexandra* is to be tried?

Viscount PALMERSTON replied, that he was unable to give the hon. Gentleman the information he desired.

SPITHEAD FORTS.—QUESTION.

Sir JAMES ELPHINSTONE said, he rose to ask, What course the Government proposed to take with respect to the Spithead Forts?

Viscount PALMERSTON said, he would have very shortly to move for leave to bring in a Bill to authorize the issue of Terminable Annuities for the continuance of the Fortifications now in progress. On that occasion it would be his duty to give explanations about everything connected with the subject.

INLAND REVENUE BILL—[Bill 97.]

CONSIDERATION.

Bill, as amended, *considered.*

Mr. HUNT said, he would propose the omission of Clause 21, and the substitution of the following clause:—

> "Whereas it is expedient to alter and amend the conditions and restrictions upon and under which occasional licences to sell beer, spirits, or wine, may be granted and used, as provided by the 13th section of the Act passed in the 25th and 26th years of her Majesty's reign, chapter 22: Be it enacted as follows:—1. That the consent of one justice of the peace, as in the said section mentioned, only shall be necessary. 2. That the hours during which such occasional licence shall authorize the sale of any beer, spirits, or wine, shall extend from sunrise to one hour after sunset. 3. That upon the occasion of any public dinner or ball it shall be lawful for the person who shall have obtained an occasional licence under the provisions of the said act, to sell the said liquors during such hours before or after sunrise or sunset as shall be allowed and specified in that behalf in the consent to be given by the justice of the peace for the granting of such occasional licence."

Under the operation of the act of last year a licensed victualler was obliged to procure the consent of two justices, acting for the petty sessional division in which his house was situated, in order to enable him to sell his liquors elsewhere. Now, although there might be no objection whatever to granting the occasional licence which he sought for that purpose, yet there was often very great difficulty in procuring the assent of two justices, as prescribed by the law. A case had come within his own knowledge in which a man had travelled about for two days without being able to find two justices. An unnecessary hardship was therefore, he thought, in that respect inflicted, and he proposed that the law should be so far relaxed as that the consent of only one justice should in these cases be required. The other relaxation which he desired to have introduced referred to the hours at which liquors might be sold under the operation of occasional licences. When a cricket match took place, for instance, it very often happened that a meal was postponed until after dusk in order that play might be continued and the match concluded. Now, he found that one minute past nine was the latest hour of sunset, and he wished to have the time extended one hour beyond that, instead of being confined within the present limit.

MR. AYRTON said, he thought no good case had been made out in favour of the proposed relaxations. When the existing Act was passed, it was pointed out that occasional licences might be extremely mischievous in their consequences, inasmuch as their effect would be virtually to bring the public-houses, from which it was the object of clergymen and others to withdraw the people, by providing for them amusement elsewhere, to those very places of recreation. He thought it was therefore a wise provision of the law that the assent of two justices should be obtained before a man could obtain such a licence ; otherwise there would be no sufficient guarantee that they would be granted with due caution. One justice, for instance, might be a brewer, or a maker of gin, and would naturally give a licence with delight and as a matter of course. It was desirable, therefore, in his opinion, that the privilege of obtaining occasional licences should be hedged round with the safeguard of rendering the sanction of a second justice indispensable.

THE CHANCELLOR OF THE EXCHEQUER said, he was sorry to find that the hon. Member for the Tower Hamlets objected to the clause, which appeared to him to be a rational Amendment of the law. When these occasional licenses were proposed last year, they were an experiment, and there was a strong feeling in the House that they ought, on moral and social grounds, to guard the experiment with an amount of restriction which would prevent its being liable to abuse. The Act in which the proposal was embodied had been in operation twelve months, and had been acted upon very extensively, no less than 10,000 licences having been taken out under it, and in no single instance had any mischievous consequences resulted, to his knowledge. The effect of the Act, he might add, was not so much to introduce a new practice as to place under restriction a practice, founded on necessity, which had grown up without the law, and in a certain sense in spite of the law. He certainly thought a considerable restriction was imposed with reference to a licence which could not last more than three days, and might only last one. He thought they ought not to impose restrictions which were not necessary for the purposes of revenue and police. Neither for one purpose nor the other was it necessary to have the signature of more than one magistrate, and on those grounds he entirely assented to the proposal of the hon. Member.

Clause (Alteration of the Law relating to Occasional Licences) *brought up*, and read 1°; 2°.

MR. DODSON said, he would move the addition of words reducing the duty to be paid for these licences from 5*s.* to 2*s.* 6*d.* Such a reduction would cause the number of such licences to be largely increased. He knew an instance of a cricket club, which was in danger of being destroyed, because the publican who supplied it with refreshments thought that 5*s.* was too large a sum to pay for a licence every time the members assembled.

Amendment proposed,

At the end of the Clause, to add the words "in lieu of the Duty now chargeable there shall be charged for every Occasional Licence the sum of two shillings and sixpence."

Question proposed, "That those words be there added."

THE CHANCELLOR OF THE EXCHEQUER said, he could not see that his hon. Friend had made out any case. If the club to which he referred suffered so much from the high price of this licence, how did it manage before the occasional licences were introduced last year? The usual principle was to make the payment for an occasional licence rather heavier than the charge for one for the whole year. The charge for the ordinary public-house licence was £17, or about 1*s.* a day. The charge for these occasional licences, which were good for three days, amounted to 1*s.* 8*d.* a day, or only 8*d.* more than that for the yearly licence ; while the proposal of his hon. Friend would reduce it to 10*d.* a day, or less than that paid for the annual licence. Although he could not assent to the proposal, he should not, when the

House had more information before it, refuse to re-consider the Question.

Mr. KER SEYMER said, that without knowing anything of the cricket-club referred to, he had no doubt that the way it managed before the introduction of the system of occasional licences was by the regular infraction of the law. At the same time, he would recommend his right hon. Friend to make the small concession asked by the hon. Member for Sussex. When there were but small gatherings of people, the publican could not afford to pay so much for the licence.

Sir JOHN SHELLEY said, he thought the observations of the hon. Member had great weight in them. He had been a cricketer all his life, and he never knew a case where they were not supplied with beer. It was illegal, but it was done.

The CHANCELLOR of the EXCHEQUER said, that he had not heard a single complaint of the injurious operation of the law, and he therefore thought it desirable to wait a little before making any alteration.

Mr. DARBY GRIFFITH said, that if a reduction was to be made, it would, in his opinion, be better for the Chancellor of the Exchequer to exercise his generosity at once.

Mr. HENLEY said, he thought that the Chancellor of the Exchequer would be wise to consent to the Amendment, because in such small matters there was more worry than the revenue obtained was worth. Unless the amount charged for a licence to sell at small cricket matches was reduced, people would get some dodge to evade the law, and no revenue would be obtained. People would have beer, and all the Chancellors of the Exchequers in the world would not stop them. They had been accustomed to have their beer, they ought to have it, and they would do so. Not more than half a barrel of beer probably was consumed at a village cricket match, and the tax proposed by the Chancellor of the Exchequer would run away with all the profits. Everybody obeyed the law as long as compliance was not very inconvenient; when it became so, means were somehow found of evading it.

Mr. HUNT said, he would suggest that the right hon. Gentleman should put the licence at 2*s.* 6*d.* a day for each day that it was used.

The CHANCELLOR of the EXCHEQUER expressed his readiness to adopt that suggestion, and added that he would, at a future stage, introduce a provision for the purpose of carrying it into effect.

Amendment, by leave, *withdrawn.*

Clause *added.*

The CHANCELLOR of the EXCHEQUER moved to insert Clause (Commissioners of Taxes for any Division of a County may hold their Meetings within an adjoining City or other Place of exclusive Jurisdiction).

Clause *agreed to.*

The CHANCELLOR of the EXCHEQUER said, the income tax hitherto had not been deducted from dividends in the funds where these were less in amount than 50*s.*, on account of the smallness of the recipient's interest. That principle, however, had been entirely altered by the passing of the Stock Certificates Bill, for even the largest holder in the funds might now receive his dividends in very small amounts. With regard to so much of the dividends, therefore, as were paid in the shape of coupons attached to the certificates, it was obviously necessary to repeal the provision. He therefore begged to move that—

"Whereas by an Act passed in the present Session of Parliament, c. , certificates of title to shares in the public stocks are authorized to be issued having annexed coupons entitling the bearer to the dividends payable in respect thereof, and by section 11 of the same Act it is enacted that the income tax shall be deducted from any coupons payable under the said Act in like manner as it may be deducted from the dividends payable at the Bank in respect of the stock of proprietors inscribed in the books of the Bank, be it enacted, that the income tax shall be deducted from any such coupons as aforesaid, although the half-yearly payment thereon shall not amount to 50*s.*, anything in any former Act to the contrary notwithstanding."

Clause *added.*

Mr. HUNT said, there was an accidental omission in the Highways Act of last Session which he desired to remedy. That Act, in necessitating an immense number of instruments liable to stamp duty, virtually imposed a new tax upon the ratepayers. That was an indirect consequence of the General Stamp Act, and was not foreseen last Session when the Bill was passing; and he thought that both upon principle and according to precedent he could justify the exemption for which he contended. This was, that when the Legislature superseded the old system of discharging functions by introducing a new system of paid agency, stamp duty ought not to be imposed for the first time.

The New Poor Law Act expressly exempted from stamp duty every kind of instrument required to carry out its provisions, and the principle of that Act was on all fours with the Highway Act of last Session. Under the old Highway Act parishes were empowered, if they chose, to appoint paid surveyors, and the appointment was exempt from the stamp duty. It was true that under another Act parishes might form themselves into districts, and appoint a paid surveyor, and in that case the appointments might be subject to stamp duty; but that enactment was a dead letter, there being no case in which such a district had been formed, and therefore the question of liability had never arisen. The 23 & 24 *Vict.*, c. 68, the Act for the formation of highway districts in South Wales, upon which the English Act of last year was modelled, contained exemptions in express terms; and he did not see why the law for the two countries should differ upon this point. He therefore begged to move—

> "That no mortgage, bond, instrument, or any assignment thereof, given by way of security, in pursuance of the provisions of the 12th section of an Act passed in the last Session of Parliament, intituled 'An Act for the Better Management of Highways in England,' nor any contract or agreement or appointment of any officer, made or entered into in pursuance of any of the provisions of such last-mentioned Act, shall be charged or chargeable with any stamp duty whatever."

Clause *brought up*, and read 1°.

Motion made, and Question proposed, "That the said Clause be now read a second time."

THE CHANCELLOR OF THE EXCHEQUER said, he trusted the House would not accede to the Motion of the hon. Member, and thereby encourage the pernicious practice of creating exemptions under the general law. He thought it very inconvenient that the House, without having the general subject before it, should be asked, almost at the last stage of a revenue Bill, to affirm such a proposition. He did not hesitate to say, that if the exemption were one which ought to be entertained, a Bill calling attention to the subject should have been introduced. The discussion with reference to exemptions was mainly carried on in that House by the Members who had a special interest in the subject, and there was no regulation that the opinion of the finance department or of Her Majesty's Government should be taken on proposals of the kind; and therefore he was not prepared to admit as precedents exemptions which might have been hastily or inconsiderately sanctioned. The hon. Member stated that the Poor Law established an exemption from the payment of stamp duties; but that law was passed at a period when the burdens on land were pressing with extreme severity. It was necessary at that time to unite the judgments of men in favour of a great measure of reform, and there were therefore particular reasons for permitting such an anomaly to be introduced. The General Highways Act, 5 & 6 *Will.* IV., united parishes into districts, and sanctioned the appointment of paid officers, but did not free those appointments from stamp duty.

MR. HUNT said, he begged the right hon. Gentleman's pardon. By section 9, those appointments were expressly exempted from stamp duty, and by another section, the bond given by the collector to the surveyor was also free from stamp duty.

THE CHANCELLOR OF THE EXCHEQUER said, he had not been aware of these exemptions. The hon. Member had also referred to the exemptions under the South Wales Act. That Act was passed under peculiar circumstances, which made such an exemption popular and desirable. The question, however, was settled last Session, when the House passed a Highways Act for the whole country without the exemption. There was an immense multitude of agencies of local government and authority, for counties, parishes, cities, and municipal bodies of different kinds, and the House ought to determine whether it was right that all these subalterns of local government should be discharged from all obligations to the revenue. If not, there was no special gound for exemption in the case of the Highways Act. The question was rather as to the time and manner of abolishing these anomalous exemptions than of extending them, for they were attended with great inconvenience, and caused great dissatisfaction. If the House thought that all these local authorities ought to be exempt from payment to the Imperial exchequer, it would be most unjust to confine the exemption to particular persons employed under the Act.

MR. HUNT said, that the Chancellor of the Exchequer had failed to show why the principle of the exemptions established by the South Wales Act should not equally apply to appointments under the Highways Act. It was thought right to free the appointments under the Poor Law and in the Highways Act of William IV. from stamp duty, because the burden really fell on the ratepayers. He trusted that the House would divide with him.

Sir HENRY WILLOUGHBY said, he should support his hon. Friend (Mr. Hunt), because he did not think it fair to impose additional fiscal burdens upon the class who paid highway rate. The area of property liable to maintain the roads and similar burdens was very restricted, ranging between £80,000,000 and £90,000,000, while personal property was exempt. He, for one, would do nothing to increase the burdens on that property ; nor was it fair to say that any officer appointed under the Highways Act should pay a new tax as stamp duty on his appointment.

Sir GEORGE GREY said, that the exemption in the South Wales Act was not even referred to in the Committee which sat on the Act of last Session. No one at that time seemed to have thought for one moment that it ought to be extended any further.

Mr. GATHORNE HARDY observed, that the reason why that had been the case was because the question never arose. The Members of the Committee thought that the Inspectors would be no more liable to the tax than they were under the old law ; otherwise the point would certainly have been mooted. There was no reason why an English surveyor should be called on to pay a stamp duty of £25, when a Welsh one, with exactly the same salary, paid nothing.

Sir WILLIAM HEATHCOTE said, his right hon. Friend (Sir George Grey), in answering the appeal made to him by the Chancellor of the Exchequer, had conclusively given his authority in favour of the proposition of the hon. Member for Northampton, because, though the right hon. Baronet had said that the question had not been raised in the Committee, he was not able to say that the Home Office by his direction had left out that particular exemption on purpose. He quite agreed with the Chancellor of the Exchequer that it might be right to revise the whole system of these exemptions, but it was hardly right to lay upon one part of the community a burden not borne by another.

The CHANCELLOR of the EXCHEQUER said, his late right hon. Friend (Sir George Cornewall Lewis), who held the office of Secretary of State for the Home Department before his right hon. Friend (Sir George Grey), was the person under whose authority the Bill referred to was revised; and as he never made the proposal to the Treasury to agree to that exemption, he was justified in saying that it was not thought by the Government that the exemption was right. He never said that there were good reasons why the exemption should be made in the case of South Wales, but that there might have been reasons of a local nature. Now, he entreated the House—

Mr. LYGON rose to order. The right hon. Gentleman had already addressed the House ; and the practice of the House was ; that a Member should be heard only once on the same Motion.

Mr. SPEAKER: The right hon. Gentleman is entitled to speak on the Question now before the House, which is, that the clause be read a second time.

The CHANCELLOR of the EXCHEQUER said, the hon. Member (Mr. Lygon) had listened with great satisfaction to the second speech of the hon. Member for Northamptonshire (Mr. Hunt), but his impartial mind could not bear that the Chancellor of the Exchequer should be allowed to speak a second time. If an exemption of the kind were to be given, it ought not to be introduced upon the Report of the Inland Revenue Bill, and sanctioned by a single vote of the House. It was an anomaly of a kind which essentially required to be considered in conjunction with other collateral subjects bearing upon it, and it was impossible to give it that consideration in the shape in which it was now proposed.

Mr. LYGON said, as he had always understood the rules of the House, they were, that a Member could address the House only once upon any Motion, but that a Member who proposed a Resolution had a right to reply. The hon. Member for Northamptonshire (Mr. Hunt), having brought forward a Motion, was entitled to speak in reply ; but he was surprised that the Chancellor of the Exchequer should have been permitted to make a second speech. He ventured to think that the rules for the conduct of business had been well and wisely framed, and that they should carry on their business better by adhering to them. The right hon. Gentleman said that such a proposal as that made by the hon. Member for Northamptonshire ought not to be introduced upon the Report of the Bill ; but that objection came with a singularly ill grace from the Chancellor of the Exchequer, who, during the whole of the financial proceedings of the Session, had been begging hon. Members at each stage to take that stage *pro formâ*, as they should have another opportunity of discussing the matter on the Report. He sincerely hoped, after what had occurred, that on future occasions the House would see the inconvenience of taking stages *pro formâ*, and would insist in each case upon having the subject fully discussed.

Mr. SPEAKER: The hon. Gentleman is not correct in saying that an hon. Member, having moved a clause, has a right to reply. The hon. Member for Northamptonshire moved a clause, and, having spoken upon it, a Motion was afterwards made that the clause be read a second time. That was a distinct Motion, upon which the hon. Member and the right hon. Gentleman had the power of speaking a second time.

Sir WILLIAM JOLLIFFE said, the right hon. Gentleman (Sir G. Grey) had quite properly stated that the case of exemption had not been raised before the Committee. The Bill that was passed left unrepealed a very large number of clauses in the General Highways Act, which still continued in force. It was quite in the mind of the Committee that no taxation would attach to the appointment of paid surveyors. He was perfectly certain, had there not been such an impression, the exemption would have been proposed.

Mr. KNIGHTLEY said, with respect to the remark made by the Chancellor of the Exchequer, that £300 a year was a very large salary for a surveyor, he believed that it was not an unusually high one. It should be remembered that the surveyor in many cases was obliged to pay two or three sub-surveyors. He thought it was very hard on such men to have a further reduction of £20 or £25 made from their salaries.

Mr. HENLEY said, the Chancellor of the Exchequer had placed the House in a difficulty. In the first place, he said that the clause was not a proper thing to be introduced into the Bill; and when his hon. Friend quoted precedent after precedent, the right hon. Gentleman said, "Oh, these precedents are not in point." The right hon. Gentleman, however, had shown no ground whatever why, if Wales were exempt, England should be taxed. The question of those exemptions was a very large one; but while things were left as they were, he did not see why England should be taxed when Wales did not pay. He should, therefore, support the clause of the hon. Member.

Question put.

The House *divided*:—Ayes 116; Noes 146: Majority 30.

The CHANCELLOR of the EXCHEQUER said, he would then move the recommittal of the Bill, for the purpose of inserting the clause passed in Committee of Ways and Means on the previous Friday, settling the duty on excursion trains. At the same time, he proposed to make another alteration of a technical character with reference to the time of taking out tobacco licences. It was generally very convenient that all persons who took out licences should take them out at the same time. Tobacco licences were chiefly taken out by teadealers and publicans. The teadealers' licences expired on the 5th of July, those of the publicans on the 10th of October. Now, although the teadealer could take out his tobacco licence at the same time as his other licences, the publican could not do so, and he proposed to enable the publican to take out his tobacco licence on the 10th of October, along with his other licences.

Lord ROBERT CECIL said, he thought that the proceeding of the Chancellor of the Exchequer furnished occasion for another of those protests which hon. Members had been obliged to address to the right hon. Gentleman so frequently during the Session. The right. hon. Gentleman had got the Resolution relating to excursion trains passed through Committee of Ways and Means the other evening, and he wished to thrust it into a Bill which had already passed a second reading. That proceeding might be orderly, but it was very inconvenient. He had given the House no notice, too, of his intention, and thus had taken hon. Members by surprise. It seemed to him that it would have been fairer to the opponents of taxes upon excursion trains if the right hon. Gentleman had given notice of this measure.

The CHANCELLOR of the EXCHEQUER said, he had no desire to proceed against the general feeling of the House; but the proceeding was strictly regular, and it would be very convenient not to delay bringing into operation the new arrangement.

Lord ROBERT CECIL said, that if the right hon. Gentleman had made that statement at first, he should not have said a word.

SIR JAMES FERGUSSON said, the parties interested in the change of duties on railway passengers had not been taken by surprise. They had been received with the greatest courtesy by the Chancellor of the Exchequer, and their suggestions had been fully considered.

Bill *re-committed*, in respect of Clauses relating to Railway Passengers and Tobacco and Snuff Licences; *considered* in Committee.

THE CHANCELLOR OF THE EXCHEQUER said, that in moving the insertion of the clause as to railways he might mention that the very judicious arrangement suggested by the hon. Member for Northamptonshire (Mr. Hunt), as to occasional licences, could not be carried into effect, because, although on the whole there would be a reduction in some cases, there would be an addition of taxation; and therefore a Resolution in Committee of the Whole House was necessary.

MR. AYRTON said, he did not know whether the clause as to excursion trains would in any way affect the 56 lb. of luggage allowed to third-class passengers by Act of Parliament.

THE CHANCELLOR OF THE EXCHEQUER said, the law would be unaltered, as the clause had no bearing whatever upon the 56 lb. of luggage allowed to third class passengers.

Motion *agreed to*.

THE CHANCELLOR OF THE EXCHEQUER said, he would then move the insertion of the clause as to tobacco duties.

MR. LYGON remarked that the clauses ought to have been printed.

THE CHANCELLOR OF THE EXCHEQUER said, that the first clause had been printed. The other clause would be printed before the next stage, and the reason it had not been printed before was, that it was only suggested by an independent person on Saturday, and the Excise had to be consulted before the clause could be drawn.

Motion *agreed to*.

House *resumed*.

Bill *reported*; as amended, to be considered on *Thursday*, and to be *printed*. [Bill 145.]

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Lord Robert Cecil

ROYAL PATRIOTIC FUND—CASE OF THE GIRL BENNETT.—QUESTION.

MR. J. A. SMITH said, he rose to ask the question of which he had given notice, and which he had postponed on the previous Thursday, believing it to be the wish of the right hon. Baronet the Member for Droitwich that he should do so. The Royal Commissioners, appointed by Royal Charter for the management and conduct of the Patriotic Fund, had applied a portion of the funds furnished by the generosity of the nation to the establishment of two schools, a boys' school and a girls' school, and the sum devoted to the establishment of the girls' school was ample, being no less than £203,000. The girls' school, to which alone he need direct attention, was called the Royal Victoria Patriotic Asylum, and was opened in 1859 with a limited number of inmates, which had been increased to 268, and was intended, and perhaps had been increased to 300. The school was at Wandsworth, and a girl named Bennett was subjected to solitary confinement for two days for some act of insubordination by the express direction of the chaplain. She was locked up for two days, being released at night to go to bed, and at half past eight in the evening of the same day, when another girl went to visit her, to take her food and to release her for the purpose of going to bed, she was found burnt to death. She was the daughter of a soldier, but not a pupil. She was too old to be admitted as a pupil, but she was admitted as a servant, for the purpose of instruction in domestic duties, and, he believed, received no wages. It was quite clear that she was a servant, and not a pupil, and he believed the chaplain had no more right to subject her to solitary confinement than to shut up an hon. Member of that House. An inquest was held, and a verdict was returned of accidental death. Having had communication with several members of the jury, he found that they entertained at the time the strongest feeling of dissatisfaction at the way in which the inquest was held. They complained very strongly of the limited nature of the inquiry, the evidence which was supplied being meagre and scanty, and still more of the absence of all investigation as to the person responsible for the most lamentable event which they had to inquire into. They had, nevertheless, appended no observations to their verdict, which was very strongly condemned by the inhabitants of the neighbourhood. As he would have, before he sat down, to say something of the conduct of the lady superintendent, he thought it but right to mention that she was not at Wandsworth at the time of the occurrence of the accident to which he was referring, and that she had nothing to do with it. Two schoolmistresses had also been subsequently dismissed for alleged misconduct or neglect on that occasion. In consequence of the accident, the attention of the Executive Committee was drawn more closely to the management of the school, and they, after some deliberation, determined to appoint a Ladies' Committee to assist them in its care and direction. A committee of thirteen ladies was accordingly appointed, and they, having applied themselves with great zeal to an investigation of the state of affairs, arrived at the conclusion very soon that the morals and discipline of the school were in a most unfortunate condition, and that its past management had been marked by grave and serious neglect. They found, among other things, that a girl who was within two months of having completed her sixteenth year had been flogged with a birch rod by the lady superintendent under the express directions of the chaplain, the servants of the establishment refusing to inflict the punishment. They found that the school was pervaded by a general system of thieving and dishonesty, that no steps had been taken to put a stop to those unfortunate practices, or to point out to the children the consequences resulting from them. They further found that on one occasion two girls had been sent alone to London by order of the honorary secretary—Captain Fishbourne—to be mesmerized. Another point which attracted their attention was that the girls in the school were allowed to go out with one of the servants of the establishment to visit the adjoining town of Wandsworth without any proper control. As a result to be expected, it was found that the conduct of those girls who quitted the asylum for the purpose of going into domestic service had been very far from satisfactory. The Ladies' Committee reported to the Executive Committee, by whom they had been appointed, that being convinced that the institution had been entirely mismanaged, they could not continue to act with the parties to whom the Executive Committee had hitherto intrusted the local management; that the chaplain had assumed powers not authorized by the Executive Committee—that his punishments had been severe and totally unsuitable and revolting, especially in a girls' school; that the lady superintendent was unequal to the control of such an establishment, as not possessing sufficient judgment of her own, and as having consented to follow unauthorized orders which she herself felt to be objectionable. The Ladies' Committee embodied in their report various other suggestions, but the Executive, while giving to these suggestions a respectful consideration, positively refused to dismiss the chaplain or the lady superintendent. They said the mode of inflicting these punishments and other circumstances in the conduct of the institution were disapproved by the Committee; but it was stated by the lady superintendent and the chaplain that they had in all cases acted under the authority or with the sanction of the senior honorary secretary, Captain Fishbourne, to whom, as stated in writing by the chaplain—

> "everything that happened or was done of the most trivial description was made known, as their only means of communicating with their rulers, and whose decision was considered by them to be final and his arrangements indisputable, whether according to their views or not."

From that he (Mr. J. A. Smith) inferred that the Executive Committee were of opinion that the real responsibility for all the acts to which he had alluded rested with Captain Fishbourne, and not upon the chaplain and lady superintendent, and therefore declined to dismiss the subordinate officers. That, he must confess, he thought a very excellent reason for relieving Captain Fishbourne also from the duties he was unequal to, but not at all a sufficient reason for continuing in the confidence of the Committee persons who so little deserved that confidence. Captain Fishbourne occupied a very singular and anomalous position. He was called honorary secretary, but he nevertheless received, he believed, no less a sum than £700 a year in the shape of salary. Before, however, he proceeded further, he must, in fairness to the Executive Committee, state that their determination not to discharge the chaplain or the lady superintendent had subsequently been confirmed by the Royal Commissioners. That being so, the Ladies' Committee again met, and out of the thirteen members of which it was composed seven resigned, and agreed to a resolution to the following effect:—

> "Under these circumstances, feeling ourselves utterly powerless to accomplish any good, and hope-

less of obtaining redress for any abuses we might hereafter detect in the establishment, we find ourselves under the necessity of declining any longer to sanction with our names a system of management of which we so entirely disapprove, and which cannot, in our opinion, either honestly and faithfully carry out the benevolent intentions of the Victoria Patriotic Asylum or do justice to the munificent contributions of the nation towards the orphans of its Crimean heroes, and we have therefore to request the Executive Committee to have the goodness to erase our names from the list of the Ladies' Committee."

Such were the facts to which he deemed it to be his duty to call the attention of the House, and which he thought were amply sufficient to justify his Question. But some other circumstances had, within the last few weeks, taken place, which he thought justified him in saying that the management of the school was still open to grave and serious objection. Lord Colchester had, ever since the appointment of the Executive Committee, been its chairman. Very recently his Lordship addressed to the Duke of Newcastle, the President of the Commission, a letter resigning that office, and stating as his reason that the Executive Committee had come to a unanimous vote sanctioning punishment with the cane by the schoolmistresses at their uncontrolled discretion, and without reference either to the chaplain or the lady superintendent. He (Mr. J. A. Smith) hoped that he had not used, he was sure he did not mean to use, a single word disparaging to the character or the motives of the honourable, excellent, and distinguished men to whom the Queen had intrusted the management of the Patriotic Fund. He had meant and did mean, to express a very grave and serious doubt whether the persons whom the Executive Committee had honoured with their confidence had discharged their duties in a manner which was creditable to themselves, or conducive to the good working of the establishment committed to their charge; and as the Secretary of State for War was, in the eyes of the public, the natural friend of the soldier's child, he ventured to ask the noble Lord the Under Secretary for War, Whether his attention has been drawn to the Report of the Patriotic Fund, and the causes of the resignation of the majority of the members of the Ladies' Committee of the Royal Victoria Patriotic Asylum, appointed in January 1862; also to notice the admission of the late Sir George Cornewall Lewis, that a girl of sixteen years of age had been flogged in that Establishment; and further, that the conduct of the officials who had committed this act was condoned by the Executive Committee; and to inquire what step have been taken to prevent the recurrence of such practices?

THE MARQUESS OF HARTINGTON said, that as the Question had been addressed to himself, he felt it necessary to inform the House that the management of the Patriotic Fund was in no way under the control of the War Department. It was true that the late Sir George Cornewall Lewis did in the last Session reply to a Question almost precisely similar to that asked by the hon. Member for Chichester; but on a subsequent evening, in explaining the answer which he then gave, he distinctly stated that he was in no way officially responsible for the management of the school. It was perfectly possible, that as the hon. Gentleman had said, the public looked to the War Office for the protection of the soldier's children; but as the Secretary of State had no power whatever to interfere with the management of the establishment, it would be unreasonable to expect him to assume any responsibility with regard to it. Following the example of the late Sir George Cornwall Lewis, however, he might, while disclaiming any obligation to answer the Question, state that his attention had been drawn to the Report of the Commissioners of the Patriotic Fund, and to the case of flogging which had been mentioned; that it had been inquired into as stated by the Executive Committee, whose decision was disapproved of by the Ladies' Committee; and that subsequently the proceedings of the Executive Committee were brought under the notice of the Commissioners, who declined to interfere. He was glad to see in his place the right hon. Baronet the Member for Droitwich (Sir John Pakington) who as both one of the Royal Commissioners and a Member of the Executive Committee would, he was sure, be ready to give any explanations which might be necessary.

SIR JOHN PAKINGTON: Sir, the answer of the noble Lord is that which I expected he would give; and as he has alluded to the fact that I have the honour of being both one of the Royal Commissioners of the Patriotic Fund, and also a member of the Executive Committee, I trust that the House will permit me to offer an explanation which I sanguinely hope will be satisfactory both to the House and to the hon. Member for Chichester. I intimated the other night, and I must now repeat, that I think the Executive Committee have very considerable reason to complain of the unusual shape of the hon. Gentleman's Question. I have known the hon. Gentleman for many years, and I cannot suppose that he intended anything unfair; but it is the feeling of the Executive Committee, in which I share, that he has shaped his Question so as to bring into undue prominence certain particulars in a manner quite inconsistent with the usual Parliamentary form, and which, had I not known the hon. Gentleman as well as I do, would have led me to believe that it was intended to create in the minds of hon. Members a premature prejudice against the Executive Committee, who have acted in this manner under grave responsibility. At the same time, I am willing to admit that I can take no exception to the tone of the statement which the hon. Gentleman has now made. I wish that he had from the first confined himself to the legitimate course which he has now adopted—namely, that of stating openly and frankly in his place in Parliament that he thinks the management of the establishment has been open to objection, and allowing those who are responsible to offer their explanation equally publicly. The Question alludes in very prominent terms to the flogging, as the hon. Member calls it, of a girl of sixteen. The hon. Gentleman has just stated that she was not sixteen. She was a girl in her sixteenth year, and for an act of insubordination she was punished with a birch rod. I do not, either in my own name or in that of the Committee, for a moment vindicate that proceeding. The Executive Committee entirely disapproved of it, and have taken such precautions as will most effectually prevent the recurrence of any such punishment. I will go further, and state that we have ascertained that in the early days of this establishment there were several things done, and several practices adopted, of which we are equally unable to approve. At the same time, although it is not my duty to cast blame upon parties who are not before this House, and who are not referred to in the Question, I am bound to state, that for the irregularities to which I have adverted there are parties who are more to blame than either the lady superintendent or the chaplain. The lady superintendent is the daughter of a very distinguished naval officer, and a lady of the highest character. The chaplain is a most highly respectable clergyman of the Church of England; and both these persons are, as I am sure the House will admit, entitled to the strictest justice at the hands of those who have to judge of their conduct. The hon. Gentleman has fallen into a mistake in saying that the management of this school is in the hands of the Executive Committee. In the first instance that was in some respects the case; but the Executive Committee afterwards appointed a sub-committee of their body, called the House Committee, to undertake that duty; and as I was not a member of that body, I only speak of what occurred at this early period from hearsay. I also ought to have said that this whipping of the girl took place in the month of January 1861, and in January 1862 occurred the death by fire of another pupil. I hope I need not assure the House that the Executive Committee, and every one connected with the establishment, heard of that melancholy event with the feelings of sorrow which it was calculated to inspire; but I do think that the hon. Gentleman has made a most extraordinary statement this evening. The coroner's jury returned a simple verdict of "accidental death," and I believe that no verdict was ever more thoroughly justified by the facts; but the hon. Gentleman has told us that he has made it his duty to hold private communication with the jurymen who sat upon that inquiry, and that he has ascertained from them that they were dissatisfied with the whole of the proceedings upon the inquest. I think that I may venture to say that I am dissatisfied with the proceeding of the hon. Gentleman. I never heard of a more irregular proceeding, and I hope that the House will not allow its judgment to be influenced by the private conversation between the hon. Member for Chichester and the jurymen, who, whatever feelings they may have entertained about the proceedings, did not record them in the verdict which they found. I am sure that my hon. Friend is the last man to say that in a discussion in this House we can listen to any opinion of a jury except as it is recorded in the verdict returned by the jury upon the case into which they have to inquire. But what else did the hon. Gentleman tell us? If there is any particular object in his Question, it is to censure the Executive Committee for what he called "condoning" the officials—namely, the lady superintendent and the chaplain; and he has told us, in speaking of this melancholy event, that when it occurred the lady superintendent was far away from the building, and that her two schoolmistresses, who were in fault, were dismissed. Under these circumstances I was surprised to hear him endeavour to swell his charge either against the officials, as he calls them, or against the Executive Committee, by alluding to this melancholy event of which I have given to the House an explanation which I think must be considered quite satisfactory. The hon. Gentleman is quite correct in saying that the sad event led to the appointment of a committee of ladies. I am very sorry to be obliged to admit the fact to which the hon. Member has also adverted, that a great difference of opinion arose between those ladies and the Executive Committee, and was carried to such an extent that seven out of the thirteen ladies resigned their positions on the Committee. No one is more sensible than I am of the excellent and most benevolent motives with which those ladies undertook their duties; and further, I am quite willing to admit that they discharged those duties with considerable ability and acuteness. They accepted the trust reposed in them, and the first thing they did was to assemble at the Institution, and carry on a diligent inquiry into the mode in which its operations were conducted. If I remember rightly, they were appointed last year late in January, or in the beginning of February, and in the month of February they held two meetings, which resulted in a report, not to the House Committee, but to the Executive Committee, which replied with a promise to institute a searching investigation into every complaint made by the Ladies' Committee. The hon. Gentleman opposite admitted that the Executive Committee did correct by far the greater number of points objected to by the Ladies' Committee, and those corrections were amply acknowledged by them. But I deeply regret to say that excellent and unquestionable as were the motives of these ladies, they adopted a course at the commencement of the investigation by the Executive Committee which was both injudicious and unfortunate. The majority of the ladies forwarded a communication stating that they would not continue to act unless we dismissed from their situations the lady superintendent and the chaplain. The House will see that the Executive Committee was thereby placed in a most painful and embarrassing position. We had two alternatives before us, either to dismiss this highly respectable lady and clergyman from their situations, because the Ladies' Committee told us to do so on pain of losing their services, or, on the other hand, to go judicially into an investigation of the conduct of these two persons, and to come to such a conclusion as our sense of justice might dictate. I hope the House will not suppose that the Executive Committee hesitated which course to adopt. Our investigation of the circumstances occupied a considerable time, although no pains were spared to arrive at a just and prompt conclusion. In March we received an intimation from the ladies that they would insist on the dismissal of these officers, and on the 9th of May the Executive Committee adopted this Resolution:—

> "Resolved, That the Committee, having carefully considered the communications and evidence which have been submitted to them, with respect to the management of the Royal Victoria Patriotic Asylum, and certain punishments which have been inflicted, disapprove and regret the conduct of the lady superintendent and the chaplain in some instances. But considering the peculiar circumstances under which the schools have been carried on, in the absence of regular supervision, excepting that of the senior honorary Secretary of the Royal Commission, the Committee are of opinion that a recurrence of these faults may be prevented by improved regulations and proper inspection, and that therefore it is not necessary to proceed to the extreme measure of now calling upon either the lady superintendent or chaplain to resign their situations."

That Resolution was passed without a dissentient voice by the Executive Committee, and I will beg leave to read the names of the Gentlemen by whom it was adopted:—Lord Colchester in the chair, General Lindsay, Sir John Pakington, Colonel Adair, Rev. F. C. Cook, one of Her Majesty's Inspectors of Schools, and Captain Fishbourne. On the 28th of May another meeting of the Executive Committee was held, and was more fully attended, nine gentlemen being present on that occasion. These were Lord Colchester, as before, in the chair, Sir John Pakington, General Lindsay, Sir Alexander Spearman, Mr. Thomas Baring, M.P., Sir Richard Kirby, Captain Fishbourne, Colonel Adair, and Colonel Lefroy. The minutes of the previous meeting were read and confirmed; and although my name stands as one upon the list of gentlemen I have named, I think I may appeal without presumption to the House whether those are names likely to come lightly or rashly to a decision. We did so after grave consideration and full discussion of the evidence; and I never saw any body of gentlemen more unanimously persuaded of the justice of the course they took. The next step was to present a report, embracing the whole of these proceedings, to the Royal Commissioners, and at a meeting of that body Earl Grey, who was not satisfied with the decision of the Executive Committee or the report to which they had agreed, moved a resolution in a contrary sense, declaring that the lady superintendent and chaplain ought to be dismissed. That Resolution was fully considered by the Royal Commissioners present, only two of whom supported it, a majority of seven voting for its rejection. My hon. and gallant Friend the Member for North Lancashire accidentally left the room, and was not present at the division, but came in immediately afterwards, and expressed his great regret that he was not in time to record his vote with the majority. Therefore I think I am fairly at liberty to say that eight to three of the Royal Commissioners were in favour of the unanimous decision of the Executive Committee. The two Commissioners who supported Earl Grey's view were Earl Nelson and Lord St. Leonards. The opinion of Lord St. Leonards, I need not say, is entitled to great weight; but his daughter being a member of the Ladies' Committee, he entertained a very warm opinion on the matter. However, there was a meeting of the Royal Commissioners about ten days or a fortnight ago, which Lord St. Leonards attended, and in the most frank spirit he declared that having passed several hours on the previous day in looking over the establishment at Wandsworth, he felt bound, after the part he took the year before, to state that he had never seen greater improvements effected in the time, or a public institution in a more satisfactory condition. It only remains for me now to answer the latter part of the Question of the hon. Gentleman. I can assure him that we have endeavoured to take every possible precaution to prevent the recurrence of any of the features which we felt bound to disapprove in connection with the institution. Instead of leaving the care of the asylum to a sub-committee, the two committees are now identical, and the supervision devolves upon the whole Executive Committee. That Committee has been re-constituted, and among other additions I may mention that it now includes the names of the Rev. Dr. Woolley, inspector of Government schools under the Admiralty, and also that of the Chaplain General to the Forces. We have established regular monthly meetings at the asylum, at which all the proceedings are investigated by the Committee, and lately we have gone a step further and organized a regular inspection, week after week, by individual members of the Committee. I hope my hon. Friend will admit that in taking these steps we have shown our anxiety to place, as far as we can, the management of this great establishment in a satisfactory position. The Ladies' Committee, unfortunately, pledged themselves to resign before the decision of the Executive Committee was taken, and thereby cut the ground from under them, and were obliged to carry out their intention. I believe, however, that even these ladies will rejoice to hear that the management of the institution is now placed on a satisfactory basis, and that this has been done without inflicting injustice or casting a stigma on two most respectable individuals. The hon. Member has stated that he considers the resignation of Lord Colchester a grave matter, and has said that the masters and mistresses now will have the power of using the cane at their uncontrolled discretion This is not the fact; there is a punishment book in which all punishments are entered. The Committee have adopted a resolution that corporal punishment may be inflicted to the extent of giving three stripes on the hand with a cane, and it was on the adoption of that resolution that Lord Colchester resigned. Last year, when the Executive Committee were investigating these matters, and were engaged in drawing up a new code of rules, they made it their duty to visit three or four of the great public establishments in the neighbourhood of the metropolis, in which children of both sexes are brought up. Notwithstanding a strong assertion to the contrary, they found that the use of the cane to a limited extent is considered necessary in these schools. In visiting one of these asylums, the first thing that attracted my attention in the board room was the regulations permitting the infliction of this corporal punishment with the cane. When the House remembers the class of children in these establishments, and the necessity of preserving discipline, they will, I think, consider that the Committee have not acted very far wrong in borrowing this regulation from the large schools near London. I trust I have satisfied the hon. Member that the report of the Ladies' Committee has received respectful attention. The whole establishment has been put on a new footing, and that has been done without making a victim of two persons who did not deserve it. The Executive Committee consider it to be their duty to look to the future rather than to the past. I may add, in conclusion, that the Executive Committee do not shrink from the responsibility of what they have done, and are perfectly willing to submit to any inquiry which Parliament may think it necessary to institute.

MR. KINNAIRD said, that the explanation of the right hon. Gentleman would give great satisfaction, after the reports that had been current. The late Secretary of State for War had told him that the Report of the Committee of the Patriotic Asylum would be laid before Parliament, but it had not yet been presented. [Sir JOHN PAKINGTON: It will be laid on the table to-night.] At present no one knew whether the Committee were responsible to Parliament or not. An institution containing three hundred girls certainly required a ladies' committee, and he wished to know whether all the ladies had resigned.

SIR JOHN PAKINGTON said, that only seven out of thirteen of the Ladies' Committee resigned. The asylum had never ceased to be superintended by ladies.

MR. KINNAIRD said, he was sorry that the right hon. Gentleman had justified the use of the cane in the girl's school, as he believed that other punishments might be found, and that it was undesirable to give the mistress the power of inflicting personal chastisement upon some unfortunate girl in a moment of anger.

MR. BRISCOE said, the House and the country were greatly indebted to his hon. Friend for bringing forward the subject. He believed he understood the right hon. Gentleman to say that the use of the birch would be entirely discontinued in the school. [Sir JOHN PAKINGTON: Oh, yes.] He disapproved of such a mode of punishment, and was glad to hear that it would no longer be practised. He hoped, that under the new arrangement, such a thing could not occur again as a girl being sent without medical advice up to London to be mesmerized. He should like to have heard that there existed a committee of ladies to superintend the management of these poor orphan girls.

MR. CORRY said, he wished to supplement the explanation of the right hon.

Baronet (Sir John Pakington) by stating that a medical officer of experience had been attached to the establishment, which he visited every day in the week. No case could be treated without his positive order; and therefore sending two girls to be mesmerized could not take place under the existing regulations.

SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY *considered* in Committee.

(In the Committee.)

(1.) £30,243, to complete the sum for Royal Palaces.

MR. W. WILLIAMS said, that while he was willing to vote on account of the Royal Palaces any amount that might be necessary for the comfort and dignity of Her Majesty, he was at a loss to understand why such large sums for repairs should be required from year to year.

MR. AUGUSTUS SMITH said, the Vote was not arranged quite as perspicuously as could be desired. For instance, they jumped from Windsor to Pimlico, and from that to Richmond or Hampton Court, and then back to Windsor again. It was also a question whether the large sums expended on furniture should not have come out of the Privy Purse. Some few years ago it was said that the savings in the Civil List amounted to several thousands a year, which were paid into the privy purse. If that was so, it was not fair to make those additional charges. He wanted to know why the ornamental gates which had been removed from Hampton Court to Kensington had not been restored to their place at Hampton Court?

SIR JOHN SHELLEY said, he believed that if they were to have furniture bought for the Royal Palaces without the check of the Commissioner of Works, the expenditure would be very much increased. He thought the check at present exercised was a good one.

MR. AUGUSTUS SMITH said, he did not object to the Vote on that score, but what he wanted to know was why the matter was put under two or three different heads?

SIR MORTON PETO said, that in reference to the Vote for St. James's Palace, he wished to direct the attention of the noble Lord at the head of the Government, and that of the right hon. Gentleman the President of the Board of Works, to the total inadequacy of that Palace at the present time for the reception for those of Her

Majesty's subjects who wished to pay their respects on state occasions. He was a strenuous advocate of economy on all fitting occasions, but he believed he was only expressing the opinion of the Committee when he said that the state of the building was a disgrace to the country, and he trusted that the proper authorities would take that subject into their immediate and earnest consideration.

Mr. COWPER said, the hon. Member for Truro (Mr. Augustus Smith) complained of the system upon which the accounts were arranged; but it was methodical and intelligible. The division of the Palaces was under three heads:—those in the personal occupation of Her Majesty; those in partial occupation, such as St. James's; and those not occupied by Her Majesty. With regard to the furnishing of the first, the expense was provided by the Lord Chamberlain; but the expense for the furnishing of St. James's Palace, as far as related to the State rooms, came out of the Vote before the Committee; and that was the case also with respect to the Palaces under the third head. The ornamental railing which had been at Hampton Court was so damaged from long exposure to the weather that it must be protected from the open air. The managers of the South Kensington Museum thought it worthy of being restored at a considerable expense. It was a beautiful specimen of English iron workmanship, and was a great addition to the Industrial Museum; but it could not be again placed in the open air without injury.

Vote *agreed to.*

(2.) Motion made, and Question proposed,

"That a sum, not exceeding £82,751, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for the Maintenance and Repair of Public Buildings; for providing the necessary supply of Water for the same; for Rents of Houses for the temporary accommodation of Public Departments, and Charges attendant thereon."

Mr. W. WILLIAMS said, there were items of £3,000, £4,000, and £3,100, or upwards of £10,000 altogether, for supply of water to both Houses of Parliament, to other public buildings, and to the fountains of Trafalgar Square. That was a very heavy charge for a thing which ought have been amply provided for many years ago. He also wished to know why the sum required for the house and furniture used by the officers who were engaged in preparing the plans for fortifications, was included in that Vote, and why it was not made a portion of the charge for the fortifications themselves?

Mr. COWPER said, that the War Department in Pall Mall was not large enough to afford accommodation for the staff engaged in drawing the fortification plans, and it had been necessary to hire a house for the purpose.

Mr. CHILDERS said, he rose to call attention to the totally inadequate supervision exercised over the public works and buildings in which the Government were interested. If the present were an age of engineers, it was certainly rather extraordinary that Parliament should have so singularly neglected to make adequate provision for the supervision of their great public works and buildings. Considering the enormous start over all the world in public works which the country had taken a few years ago, it must be notorious to every one that they were rapidly losing ground in comparison with continental nations. He did not wish that they should servilely copy the arrangements of foreign nations, but something must speedily be done, for it was impossible to go on with the present insufficient arrangements, which in a few years hence would probably place them under the necessity of resorting to a change, perhaps, of a somewhat revolutionary character. He had nothing to say against the right hon. Gentleman (Mr. Cowper), who carried out the duties of his office in a manner that was fairly satisfactory to the House; but his very position was a sufficient indication of the unsatisfactory nature of their arrangements. He was a Minister with the fine sounding title of "First Commissioner of Works," but his energies were principally devoted to the supervision of the casual erection of one or two great works in the metropolis, to look after the public parks, and to see that the furniture of the public offices was properly purchased and properly accounted for. What might be called the general engineering superintendence of the public works was divided between two or three different Departments. Harbour works, for instance, were supervised partly by the Admiralty and partly by the Treasury; military works, even when called "civil buildings," by the War Department; and the Board of Trade had the supervision of the railway works, and in part of lighthouses. Other lighthouses were under special Commissions, some of the larger departments looked after their own buildings; and, in fact, the functions of supervision were so confused and scattered among different Departments that it was impossible they could be efficiently and economically exercised. He hoped that before long some hon. Member of the House would take up the subject, and would enforce the necessity of a change. He had no wish servilely to copy the arrangements of their neighbours; but if the supervision of the civil buildings and harbour and other public works not strictly military works were concentrated under one Department, and if that Department were charged with the functions now exercised by five or six, great inconvenience and many blunders would be avoided.

VISCOUNT PALMERSTON: The proposal of my hon. Friend, I am afraid, would involve a more material change in our system of conducting great public works than is congenial to our constitutional arrangements. It is quite true that in France and other countries the Government exercises great control over all works, whether private or public, but that is not a proposition which would be in accordance with the feelings of this country, or with the general arrangements which prevail here. I do not admit what my hon. Friend starts with — that we are behind other countries in architectural development. If anybody will go to Liverpool, to Leeds, to Manchester, or to other great towns, he will see buildings of the most beautiful description, erected, not under the control of the Government, but by persons employed by the municipalities of the towns themselves. Those buildings are really an honour to the country and are quite equal in beauty to anything on the Continent. My hon. Friend, I am sure, cannot mean that a Department of the Government should supervise and direct the municipal corporations and the public buildings of the towns.

MR. CHILDERS: I confined my remarks exclusively to the public buildings of the Government, and public works.

VISCOUNT PALMERSTON: There are very few public buildings connected with the Government, and those few are under the supervision of my right hon. Friend the First Commissioner of Works. It is quite clear that different public works require different supervision. You would not put the same man to supervise the erection of a barrack whom you would put to supervise a post office or a harbour. There must be different kinds of supervision, and I do not believe, that if my hon. Friend looks carefully into the subject, he will find any arrangement different from that which now exists which would be compatible with our constitution.

MR. AUGUSTUS SMITH said, he thought there was a great want of consistency of plan in the public works, as well as of regularity in the way in which they were conducted. He objected to the first item in the Vote of £25,000 as "the sum that will be required for the maintenance and repair of public offices, and charges attendant thereon." Some explanation should be given of that. The last item in the Vote was £13,512 for Scotland, whereas last year's Estimate was only £10,890. That made it the more necessary that details should be given. The point, however, to which he wished specially to direct attention was that the country was called upon to pay rent when they occupied public property. That practice had only commenced within the last few years. It might be said that the rent came back to the public; but the important point was, that if public property was occupied by the Crown for its own personal accommodation, it paid no rent; but if for the public service, it did. The country was, in his opinion, as well entitled as the Crown to the use of that property rent-free. They might as well charge rent on the palaces or parks. A ground rent of upwards of £1,000 was paid on the Geological Museum in Jermyn Street. Again, a sum of money had been voted to purchase land for public offices, and it had actually been paid to the Woods and Forests. He should move the reduction of the Vote by the sum of £7,000, the amount charged for rent of Crown property.

Motion made, and Question proposed,

> "That a sum, not exceeding £75,751 be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for the Maintenance and Repair of Public Buildings; for providing the necessary supply of Water for the same; for Rents of Houses for the temporary accommodation of Public Departments, and Charges attendant thereon."

MR. BRISCOE said, he thought that proper details of the Votes should be given, otherwise comparisons could not fairly be made one year with another. Looking to some of the other items, he asked was it necessary to expend £4,000 on pipes and engines every year? With regard to the miserable fountains in Trafalgar Square, he thought it would be much better to do away with them and fill the spaces with azaleas and other beautiful plants, than continue them as objects of public derision.

Sir MORTON PETO observed, that the amount paid last year for the rent of public offices was £24,000 ; that year the Estimate was £26,358. That income represented little short of a million of money capitalized. He hoped the right hon. Gentleman would, during the recess, consult some architect who was competent to deal with the question, having special regard to the fact, that at present many of the public offices were so distant from each other that it was as much as any man, having occasion to go to several of them, could accomplish in the course of a morning.

Mr. COWPER said, the apparent increase in the Vote of £3,259 over the Vote of the last year was owing to certain re-Votes which it was necessary to take of monies unexpended on the 31st of March last, and which had, according to rule, to be repaid into the Exchequer. Therefore, the Vote of the year did not really exceed that of last year. The sum for repairs in public offices and palaces was not given in detail, because it was made up of eighteen hundred separate items which would have greatly swelled the bulk of the printed Estimates. The same remark applied to some subsequent items for buildings in Scotland. He was surprised to hear complaint made of the sum for the supply of water to the Houses of Parliament and other public buildings, &c. The sum required for the ordinary supply was £4,000 a year—a less amount by £800 than that for which it could be obtained from the companies; besides which the water obtained from the artesian well behind the National Gallery was the most pure water in London. There was another item of £4,000 for engine, pumps, and pipes to provide a proper supply in case of fire, the means previously available for that purpose being deemed insufficient. That was in the nature of a first charge, not a recurring expense, and would be a very prudent and economical outlay, as the Government did not insure any of the public buildings. The great improvement that had recently been made in fire-engines, by the application of steam, rendered it unnecessary to have a reservoir of water at such a height as that of Primrose Hill, as had been suggested. Pipes would be laid down which would bring the water from the Serpentine at any moment when it was required, and the steam engine would be of sufficient power to raise it to the level of the tanks on the top of the Houses of Parliament, the New Foreign Office, the India Office, and the other public buildings in that vicinity. The Motion of the hon. Member for Truro, with a view to prevent any rent being paid by the Office of Works to the Office of Woods went in a wrong and retrograde direction. The separation by the Act of 1851 was intended to prevent the land revenue from being spent on objects which ought to be defrayed out of the Votes of Parliament. But the effect of the hon. Gentleman's proposal would be that the revenues from the hereditary lands of the Crown would be spent instead of the funds voted by Parliament, and a door would be opened for abuses which the present arrangement was intended to repress. If the ground rent of the Geological Museum were withheld, it would virtually be contributed by the Office of Woods, and confusion of accounts would arise from depriving the land revenue of the rent it would otherwise receive from letting the property to private individuals, merely because it happened, for the time being, to be occupied for a public purpose. The Office of Woods received all the proceeds it could obtain from land beneficially used, as the trustee for the public. Its funds could not be applied to public buildings under the Office of Works in lieu of Votes of Parliament. The hon. Member asked whether it was not right that a public use should be made of some of these houses. There was no objection to that, but the accounts of the two Departments ought not to be intermingled. He hoped the hon. Gentleman would not go to a division.

Lord JOHN MANNERS said, the hon. Baronet the Member for Finsbury (Sir M. Peto) had raised an important question, but it was not altogether new to that House. When Lord Llanover was at the Office of Works, he broached a great scheme for purchasing a large tract of land in the immediate vicinity of the Houses of Parliament as a site for public offices, at an expense of considerably over a million sterling; but the House took fright at the magnitude of the proposal, and it was allowed quietly to drop. He was afraid, that although the execution of such a gigantic scheme might be wiser and more economical in the end than the existing arrangement, the House would be again appalled at its proportions. The various Departments were, no doubt, in an unsatisfactory state; but it should be recollected that many of the offices were temporary in their nature, and it was hardly worth while to go to great expense in purchasing sites and erecting stately buildings upon them. He observed a small item for Burlington House. What did the Government propose to do with that building and the ground attached to it? The late Government had a scheme for devoting Burlington House to important public purposes; but when the Earl of Derby left office, that scheme was knocked on the head, and Burlington House still remained almost unoccupied. He wished to know whether any additional use was to be made of it.

Mr. Alderman SALOMONS said, he wished to ask for an explanation of the enormous item of £10,900 for rates and taxes on public buildings, or donations in lieu thereof, and insurance.

Mr. COWPER replied, that in cases of leases the Government were often bound to pay rates and taxes. They were not so bound by law in the case of Crown property, but they were in the habit of giving donations in lieu of rates and taxes. He might mention that only a small portion of the £26,000 was spent for Government offices, properly so called, considerable sums being given for such houses as law offices and courts, museums, the National Portrait Gallery, and the Seamen's Registry. About £12,000 was the amount paid on account of offices which might be accommodated in a permanent building. He did not contemplate such an extravagant scheme as that to which the noble Lord opposite had alluded; but he hoped that in the course of a few years the sites which had been purchased for public offices would be covered. The site in Downing Street, for example, might probably have an office built upon it as soon as the Foreign Office was completed. He was not prepared at present to make any statement with respect to Burlington House.

Mr. W. WILLIAMS said, he would remind the right hon. Gentleman that he had not explained the necessity for having three Copyhold Commissioners in a house rented at £900 a year.

Mr. COWPER said, that more work had been thrown upon the Commissioners by several Acts of Parliament. The Commissioners had a great deal of business to do, and the building they now occupied was not too large for them. It was necessary that they should be lodged somewhere.

Lord JOHN MANNERS thought it would have been more to the point if the hon. Member had asked the head of the Government why, when one of the Commissioners died some time ago, the vacant office was filled up.

Mr. AUGUSTUS SMITH said, he would withdraw his Motion. He had made it as a protest in reference to the matter, which he denied was so much one of account as one of principle.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(3.) Motion made, and Question proposed,

"That a sum, not exceeding £13,879, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for the Supply and Repair of Furniture in the various Public Departments."

Mr. AUGUSTUS SMITH said, he would move the reduction of the Vote by £6,464, the amount charged for the Science and Art Department. That sum was not really wanted for furniture, which formed the subject of a separate item, but for fittings. It was, in short, a sly way of getting a few thousand more under the head of furniture.

Mr. COWPER said, the reason why the Vote was so large was that additions had been made to the museum at South Kensington, and money was required for glass cases and other fittings to fill the galleries and halls. He could assure the Committee that the items had been carefully examined, and that the fittings and furnishings in question were really necessary in order that the public might enjoy the full use of the Museum.

Mr. AUGUSTUS SMITH said, his complaint was that a promise had been made that all unexpended balances should be paid into the Exchequer, and that there was a balance of £8,000 which remained unpaid.

Mr. PEEL said, that the promise was made with regard to the Votes, not of 1861-2, but of last year, and would be strictly adhered to.

Mr. BLACKBURN said, he wished to point out, that in addition to the large Vote in the section of the Estimates under consideration, there was another sum of £6,600 in book 4, also for fixtures, fittings,

&c., for the South Kensington Museum. Surely that was spending too much on glass cases?

LORD JOHN MANNERS observed, that although glass cases and other fittings did not require to be renewed annually, there was a Vote of £7,100 last year for the same purpose. The excessive amount of the Vote rendered it necessary for the Committee to look into it.

SIR JOHN SHELLEY said, he held that no expenditure afforded so much satisfaction and instruction to the public as that on the Kensington Museum. He went into the Committee on the Museum with a strong prejudice against it, but was convinced of its excellence and utility by the evidence he heard there.

MR. ALDERMAN SALOMONS said, he would suggest that the Vote should be withdrawn and brought up with the other item in book 4.

MR. COWPER explained, that as the articles in question were ordered by the Office of Works, the Vote ought to be taken in the branch of the Estimates under consideration. The reason why the Estimate for fittings was so large that year was that the Museum had been considerably extended.

MR. BLACKBURN said, he wanted to know who ordered the £6,600 worth of fittings in book 4.

MR. COWPER said, the Science and Art Department ordered the amount to be expended under its own Estimate.

MR. AYRTON said, he wished to ask why the Vote for the Museum was divided between two Departments. There could be little doubt that it was done in order to conceal the magnitude of the expenditure. If the Museum at South Kensington were as beneficial as was alleged, it was to be remembered that it cost £34,000 a year, and was not situated where it would be within reach of the working-classes.

Motion made, and Question put,

"That a sum, not exceeding £9,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for the Supply and Repair of Furniture in the various Public Departments."

The Committee *divided*: — Ayes 23; Noes 66: Majority 43.

Original Question put, and *agreed to*.

(4) Motion made, and Question proposed,

"That a sum, not exceeding £77,952, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for Maintaining and Keeping in Repair the Royal Parks, Pleasure Grounds, &c., and other Charges connected therewith."

SIR HARRY VERNEY said, he would acknowledge that great credit was due to the right hon. Gentleman the Commissioner of Works for the care he had bestowed upon the improvement of Victoria, Battersea, and other public parks; but he thought the Committee might call on the right hon. Gentleman to do something more for the accommodation of the public. The eastern extremity of Pall Mall, where it was joined by the Haymarket and Cockspur Street, was so crowded as to be quite dangerous, but by a small change the right hon. Gentleman might enable the public to drive down the Mall on the north side of St. James's Park. A great public convenience would be effected by opening a communication from Cockspur Street down the Mall to Buckingham Palace. He thought the right hon. Gentleman ought also to take into consideration the very dangerous state of the southern extremity of Park Lane. If all carriages passed through Grosvenor Gate to Hyde Park Corner, the dangerous part of Park Lane would be avoided. He did not know whether the Committee would be of his opinion, but he should be very glad to see omnibuses allowed to pass through Hyde Park. It would be a short cut for those who were going from Victoria to Paddington station, and would afford great pleasure to people who used that mode of conveyance. If not at present, he hoped that in some future year the accommodation which he had suggested would be afforded to the public.

MR. SELWYN said, he wished, in pursuance of the notice he had given, to call attention to the condition of the new Conservatory called the Winter Garden at Kew. No part of the public expenditure had given greater satisfaction than that which had been laid out on Kew Gardens, and he thought that Sir William Hooker was one of the most efficient, and at the same time one of the most economical, of public servants. The great desideratum of this new conservatory had been repeatedly referred to in all his Reports since 1859, and the plan had been approved of, and had become so notorious as to be published as the frontispiece of almanacs and in *The Builder*. The building was to be of five parts—a centre, two small octagons, and two wings connected by the octagons with the centre. The centre and the two octagons were finished, and some expenditure must have been laid out on the wings, as the ground was dug out and foundations in concrete laid for the pillars. There were substantial buildings of brick and slate for the workmen, a cottage for the clerk of the works, and a temporary road, which greatly disfigured the most beautiful portion of the gardens. The Government had been informed by their able officer, Sir William Hooker, that it was absolutely essential to complete the structure, and not to leave it unfinished, presenting as it did an unsightly appearance, which did no credit to the architect. He thought that Sir William might have added, "and would do no credit to the Board of Works or the British nation." He could not believe it possible, that having finished three-fifths, the Government intended to abandon the other two-fifths of the building; and although no sum was asked for in the Estimate for this year, he concluded that they intended to finish it at some future time, and he begged them to consider what an unthrifty course that would be. If the buildings for the workmen were taken down, and the temporary road destroyed, other buildings and another temporary road would have to be made when the works were resumed, and he believed that no private gentleman who could command either means or credit would conduct his business in that way. Speaking as an ordinary observer, he also imagined that it must have been cheaper to cast the whole of the iron girders which were required for making the wings and the octagons and centre at the same time. He should therefore like to know what expenditure had been incurred for the purpose of the wings, and whether it was the intention of the Government to proceed to complete the whole building.

Mr. TITE said, he could corroborate the statement of the hon. and learned Gentleman. The buildings at Kew were a great success, architecturally and scientifically. He agreed that the unfinished state of this building was unsightly, and would lead probably to a greater expense than if it were finished at once. Economy was, no doubt, a great object in these days; but he recommended the Government, when an opportunity offered, to complete the building. Another reason for immediate completion was, that it would allow of the classification of the plants, for the better study of botany.

Mr. Selwyn

Colonel FRENCH said, that the Vote, which was an increase of £17,000 on the last year's Vote, appeared to him to be extravagant, and one which required explanation. Bushy Park, Greenwich Park, Hampton Court Park, and the Home Park were all in grass, and he could not comprehend the necessity of the expenditure under those heads. As on a former occasion, he wished to protest against the plan of grazing horses in Hampton Court Park, because of the injury to the lime trees, and he really thought the grazing of cows, which would do no injury to the trees, would return, within 6*d.* per head per week, the same as horses. The sum of £25,000 seemed a good deal for Hyde Park, and he did not know what was obtained from the £5,000 spent on Victoria Park.

Mr. DILLWYN said, he fully agreed that the Vote required explanation. The maintenance of St. James's, the Green, and Hyde Parks cost £23,624, besides the cost of the department of the ranger, bringing it up to £25,000. Kensington Gardens, which figured for £3,900, were not included, and how so much could be spent he could not understand. The Committee ought, he thought, to insist on having some detailed explanation as to how the money was expended.

Colonel BARTTELOT said, he should move the reduction of the Vote by the sum of £7,952. He was ready to give the First Commissioner of Works every credit for keeping the parks in a good state, but he could not give him credit for economy, inasmuch as he thought he had got a most inefficient set of men employed about them, and that the outlay upon them was unnecessarily large. The expense of maintaining the West End Parks and Kensington Gardens amounted to £30,000 a year, and he had been informed that the sum expended on annual flowers was not less than £5,000, which, when their perishable nature was taken into account, was, in his opinion, a very wasteful expenditure.

Mr. COX observed, that parks to which the remarks of the preceding speakers applied, were really parks, which could hardly be said of the few acres of ground which were dignified by the name of Kennington Park, and for which the Committee was asked to vote £1,436. How any one could be found with sufficient ingenuity to lay out so large a sum on so small a plot of ground he was at a loss to understand. It was simply a park, he contended, for sheep, the children who were admitted to it not being allowed to amuse themselves on the grass, but being obliged to play on the gravel walks. He wished to know why there was no Return of the money received for depasturing sheep.

Sir JOHN PAKINGTON said, the Votes asked for the parks were to him annual causes of astonishment. Indeed, he could not understand how so much money could be spent on them. All private experience was opposed to the expenditure. A private gentleman, wishing to build a lodge, could accomplish his object for £300 or £400, while in Hyde Park it was deemed necessary to spend £1,500 or £1,600 for a similar purpose. If private proprietors were to keep up their grounds at a cost equal to that which was asked for the Green, St. James's, and Hyde Parks, they would speedily be ruined. Those parks were, no doubt, well kept up, and contributed much to the enjoyment of the public; but then he thought it would be well if the First Commissioner of Works would show the Committee that the money laid out upon them was fairly expended.

Mr. CAVE said, he desired to have some information with respect to the monolith which had astonished the town by suddenly appearing, where the spring formerly was, at the east end of the Serpentine. He should like to know whether it came from Egypt, was brought by the Under Secretary for Foreign Affairs from Assyria, or found its way from the Summer Palace at Pekin? It would be well, in short, if the First Commissioner of Works would tell the Committee what it was, where it came from, why it was put there, what was the cost of putting it there, and what had become of the spring which used to be there?

Mr. SCLATER-BOOTH said, he wished to ask for information as to the distinction between the Ranger's Department and the Department of the Board of Works. He wished also to learn by whose authority it was that the band of the Commissionaires played night after night during the whole season in the Cambridge inclosure, adjoining Spring Gardens, in St. James's Park. Although he lived in that neighbourhood himself, he had no objection to the performances; but he knew that the music was regarded as a serious inconvenience to many gentlemen residing close by. Thus to invite the inhabitants of St. Giles's and Westminster to be present throughout the summer in large crowds to listen to the band was, he thought, a wanton interference with the rights of those who paid heavy rents for the houses near the inclosure, as there was ample space by the water in the park, where those performances might take place without being a nuisance to anybody.

Mr. W. EWART said, he would inquire whether it was necessary, now that there were no deer to take care of in the parks, to keep up the office of deputy ranger. There was a large piece of land attached to the ranger's lodge which ought to be thrown open to the public.

Colonel SYKES said, he could bear testimony to the improvements that had been made in Hyde Park and Kensington Gardens during the last thirty years. At the same time, he would recommend, that the road over the bridge from Bayswater to Kensington should be opened to public as well as to private vehicles. There might be some question as to the expenditure upon the Parks, and he should therefore be glad to see the Vote postponed until fuller information was before the Committee.

Mr. W. WILLIAMS said, he would call the attention of the Committee to the fact that the first four Votes in the Estimate exceeded by £55,000 the expenditure on those of last year.

Lord JOHN MANNERS said, he should be sorry if anything happened to postpone the erection of the great house in Kew Gardens. There could be no use in disguising the fact that the Parks were very expensive, but no comparison could fairly be instituted between the expenditure upon them and those of noblemen and gentlemen in the country, because the former were not only Parks but great gardens, and in some instances almost scientific gardens, intended for the amusement of the people, and the consequent necessity for opening up walks and providing a large staff added greatly to the expense. He should like to hear from the right hon. Gentleman the First Commissioner of Works some explanation of an item of £400 or £500 for making a horse ride in Battersea Park, and of the appearance in Regent's Park of a large permanent structure for the use of the band, which was out of all proportion to the objects which surrounded it and interfered with a very beautiful view.

Mr. COWPER said, that he could not explain the excess of £55,000, which existed only in the imagination of the hon. Member for Lambeth. [Mr. W. Williams:

It is in the book.] The hon. Member did not appear to have read the Estimates with the care which he should have expected from so eminent a financial reformer. If he compared the two Estimates, he would find that the Vote under discussion was £732 less than that of the last year.

MR. W. WILLIAMS explained, that what he said was, that the expenditure last year was £55,000 less than the Votes asked for this year.

MR. COWPER said, that if the hon. Gentleman complained that the sum expended was less than the amount voted, that was a fault of which his Department was very often guilty. They had, for many years, been gradually diminishing the expenditure, without at the same time diminishing — indeed, on the contrary, while increasing, the attractions of the Parks. With respect to the expenditure contemplated during the ensuing year, he should be glad to give the fullest and most detailed explanations. It was impossible to compare the cost of the Parks with that of those belonging to private individuals, because they were the resorts of enormous numbers of persons, who necessarily occasioned a great deal of damage by trampling on the grass and wearing away the walks, and whose presence required the employment of a considerable number of officers to insure the preservation of order. In Hyde, Green, and St. James's Parks alone forty-six constables were employed. The salaries of the persons employed amounted to £2,608, and their liveries cost £371. £1,100 was contributed to parochial assessments; the maintenance of lodges, railings, drainage, seats, &c. cost £1,781. It must be remembered that not merely were there trees, grass, and shrubs to be maintained in the parks, but roads as well. In Hyde Park, St. James's Park, and the Green Park, collectively, there were eight miles of roads to be kept in order, and twenty-five miles of gravel walk, making in the aggregate thirty-three miles. Portions of Hyde Park were as much frequented by vehicles as the street, and required to be kept in as good order. The cost of macadamization in Regent Street was at the rate of £4,000 a mile. He did not estimate the surface in the Park as equally expensive, but it was evident that a large outlay was requisite to maintain it in proper condition. If the gravel walks were not kept in proper order, the public complained; and they did worse, for they walked on the grass, turning the sheet of verdure into an arid plain.

The offices of Ranger and Deputy Ranger had originated when deer were kept in the parks, and, according to ancient custom, the gates of the external boundaries of the park were considered to be under the Ranger's authority, while the interior was under the control of the Office of Works. The salaries and wages of the fourteen gatekeepers, and of the superintendent in the Ranger's department, amounted to £1,320, and the cost of their liveries £97. All things considered, hon. Members, he thought, would be of opinion that the outlay upon the parks was not excessive. Every attention to economy, he could assure them, was paid. Labourers were employed in considerable numbers at the proper season; but as soon as these could be dispensed with, the staff was diminished. It was a mistake to suppose that the flowers in the Parks were costly; they were of a simple and cheap kind, and were reared in pits in the vicinity. The expense for flowers last year in Battersea Park only amounted to £180.

The horse ride at Battersea Park would be on the embankment, which was being gradually and inexpensively formed by allowing builders and others to deposit rubbish. Ultimately, he hoped that a ride might be formed round the whole outer circle of the Park. Until the ground was taken for building, the waste land there could not be applied to a better purpose.

The Sunday bands had been in operation for seven years; he had permitted their continuance because they drew people out of unhealthy homes and public-houses to enjoy the Parks, and did not justify the complaints of residents in the neighbourhood. The band platform in Regent's Park, provided nearly seven years ago, was almost worn out, having been very unfit for the purpose from the beginning. He had therefore thought it right to provide a new one, and to include the cost in the Estimates. The band thought it a practical improvement, and the audience liked it exceedingly.

The house at Kew, to which reference had been made, was originally designed in five parts, the centre and octagons being complete in themselves without the wings. £33,000 had already been spent upon the building, besides £3,000 upon the warming apparatus. The cost of the wings would be £14,000 additional, which was more than the Government felt warranted in proposing under existing circumstances.

He was unable to say where the spring which used to exist near the Serpentine was gone, but it disappeared at the time when the Metropolitan Board of Works were carrying the great sewer across the park. It was in reality not a spring, but a collection of water which percolated through the gravel, and when that was disturbed it took a different direction. The granite which now formed the drinking fountain had been selected as the material which did not suffer from the London atmosphere. A small work of art fitted for a garden would not have been as suitable to the place as a huge uncut boulder from Cornwall. It excited comments from hon. Gentlemen opposite, but it had elicited the admiration of persons competent to judge. With the addition of the surrounding poplars, it was a very agreeable and picturesque object. [Mr. Augustus Smith said, the right hon. Gentleman had not mentioned the cost.] It had cost about £180. Kennington Park, although of limited area, was greatly frequented, owing to its position. Special orders were given that the grass was to be enjoyed as freely as was consistent with its preservation. The actual cost of maintenance was £890. He must remind the Committee that there, as in other parks, the cost of watering was very considerable; that operation having to be repeated every day during the summer months.

He had been rather surprised to hear the complaint of the hon. Gentleman opposite (Mr. Sclater-Booth), who found fault with what gave intense delight and satisfaction to multitudes every evening. He was dissatisfied because a number of people assembled in St. James's Park to hear a remarkably good band play gratuitously. It was true that some small payment was exacted from those who entered the inclosure, but the great majority of the audience paid nothing whatever. Some of the residents in the neighbourhood approved of these musical performances; and if any wished to give up their houses on that account, others were ready to take them. It was useless, however, to argue the question, which was altogether one of taste; some persons loved music and others did not.

Mr. PEACOCKE observed, that the grass on the south side of Rotten Row was useless to riders, because there was no shade there. In the interest of the equestrians, therefore, he would ask the right hon. Gentleman to throw open the ground covered with grass on the north side, where there was a shade? He also wished to ask the right hon. Gentleman whether he would open Kensington Gardens to riders.

Mr. BENTINCK said, there was nowhere in England so remarkable a farce as that which was regularly enacted by Committees of Supply in that House. [Mr. W. Williams: Hear, hear!]. They had upon the Treasury bench a government pledged to rigid economy, and they had on his side of the House very distinguished Members anxious to pass to the other side, pledged to a still more stringent system of economy. The result was that Votes were proposed; two or three hon. Members made speeches, in very nearly the same words every year; the Votes passed, and thus ended the absurd farce. But he rose on that occasion to protest against the First Commissioner of Public Works in coming thither at a time of great public trial and adversity, when they were at their wit's end to devise some measure of relief for thousands of their countrymen who were actually starving, and asking the House of Commons to vote large sums of money for the ornament and luxury of the idlers and indolent of the metropolis. When the right hon. Gentleman spoke of the ornamentation of the parks, it was time to call his attention to the enormous distress which prevailed throughout the country, and to ask, whether the proposed expenditure was decent or becoming? Though the leading Members on both sides of the House were pledged to such a course, he would protest against it, and hoped the time would come when the House of Commons would no longer throw away the resources of the country when greater demands were made upon them.

Mr. SCLATER-BOOTH said, he thought that the arrangements for the band in Regent's Park were very satisfactory, and from personal observation he could bear testimony to the fact that the crowds who listened to the music seemed to be of the same opinion. He was not able to say the same thing with respect to the arrangements made in St. James's Park for the band of the Commissionaires. It was no small annoyance for the residents near where the band was stationed to have music for three hours every night during the whole of the London season. If the band stationed itself at a similar distance from the houses in an opposite direction, the residents could have it removed as a nuisance; and they had reason to complain that the protection of the Government and of the police was given to the band at the place where it was stationed. He had no objection to money being raised for the corps by means of musical performances; but those might take place in a part of the park where they would cause no annoyance to any one.

Sir MATTHEW RIDLEY said, that the band of the Commissionaires, which performed every day in St. James's Park, was an exceedingly bad band and a great nuisance, and he hoped they were not paid out of the public money.

Mr. W. WILLIAMS said, that in the Vote for Royal Palaces there was an increase of £11,660; in the Vote for public buildings an increase of £28,241; in that for furniture of public offices an increase of £4,268; and in that for Royal parks and pleasure gardens an increase of £11,288, making a total increase of about £55,000. The right hon. Gentleman had given no satisfactory explanation on that point.

Lord JOHN MANNERS said, he wished to remind the right hon. Gentleman that his objection was to the extremely unsightly character of the stand which had been put up in Regent's Park. It was placed in a position that excluded a view of the trees.

Colonel FRENCH observed, that his right hon. Friend the Chief Commissioner had not answered his observations with reference to the Royal parks.

Captain KNOX said, that the poor of the metropolis had but few pleasures, and it conduced much to their health to be drawn from the miserable streets in which they lived into the parks, and the bands administered to their pleasure. He trusted the Government would stand by the Vote

Colonel FRENCH said, he wished to call attention to the injury that was being done to the trees in Bushy Park by horses being sent in there to feed. If properly managed, he knew of no reason why that Park should cost the nation anything.

Mr. LIDDELL said, he had nothing to say against the expenditure on the public parks, and thought that the right hon. Gentleman deserved the highest credit for the improvement he had effected in Regent's Park. He never saw a park so much improved in so short a space of time. At the same time, he wished to draw his attention to the disgusting and unsightly mound in St. James's Park. When passing through St. James's Park not long ago on a hot day, he observed a body of labourers turning a heap of something over. On approaching to investigate the work, a most offensive effluvium arose from it, and the labourers told him they were turning over the manure-heap of the First Commissioner of Works. If the right hon. Gentleman had a manure-heap placed at his disposal, why did he not deposit it where it would not offend the eyes and noses of the inhabitants of the metropolis. He hoped an early opportunity would be taken to remove it.

Sir MATTHEW RIDLEY said, that an elevation had been noticed in Hyde Park, which turned out to be a boy and a dolphin. He did not observe that any money had been appropriated in the Votes for that work which must have cost a considerable sum, and was, as many thought, a very objectionable object.

Mr. COWPER said, that the Vote for that work of art was obtained three years ago. A drinking fountain in the park was allowed to require ornamental sculpture, and he should have thought that the subject of a boy and a dolphin was unobjectionable. The group was the work of an eminent sculptor, Mr. Munro, and was very much admired. With respect to the inquiry of his hon. Friend, the breeding of horses at Hampton Court was not in his department; but he would inquire about the lime-trees, any injury to which he should greatly regret. The mound alluded to by the hon. Member (Mr. Liddell), consisted of the sweepings of the roads and out of the lake in St. James's Park, which had been accumulated in what was thought a quiet corner, but which, it appeared, had not escaped the observation of the hon. Gentleman. He believed that it had been offensive to the smell, but it would be laid upon the grass in a manner as little offensive as possible. The grass was so injured by the soot, and by persons walking and rolling upon it, that it was necessary to put something on it.

Mr. PEACOCKE said, that the right hon. Gentleman had not answered his question. If it were good to open Kensington Gardens during the last year to riders, it must be desirable to do the same this year.

Mr. COWPER said, that for two years the ride in Kensington Gardens had been open to the public, and had answered very well. Last year the entrance which used to be through the land arch of the bridge between Hyde Park and Kensington Gardens was required for pedestrians, because the road itself was open to carriages for the Exhibition. There was also the same difficulty this year, because the bridge had been opened to carriages, and it was necessary for the convenience of pedestrians to admit them under the bridge. He had opened to equestrians the south side of Rotten Row. At the end of last year the north side was opened, but the riders had interfered with the persons on foot, and by no means showed the consideration which could have been desired for their comfort. He was anxious to place the horses where they interfered the least with the comfort and recreation of the pedestrians, and had therefore admitted the riders to the south side of Rotten Row. He did not remember the cost of the boy and dolphin, but would let the hon. Baronet know another day. The money was voted more than three years ago, and he had not the document by him.

LORD ROBERT CECIL said, that hon. Members seemed to be a Committee to take care of Rotten Row, rather than a body assembled to take care of the finances of the country. There was a disgraceful column in the Estimate under consideration. He referred to that which showed an increase in every item of the Votes, so that the sum had swollen from £700,000 to £900,000. He agreed with his hon. Friend the Member for Norfolk in thinking that hon. Members would not rise in the opinion of their constituents by permitting an increase of £200,000 in that Estimate, in a year in which Ireland was starving and Lancashire was supported by public alms. It appeared as if the function of restraining the Government in its expenditure had wholly passed from the House of Commons, and as if their sole object was to procure this or that concession to gratify some hon. Member or his friends. They would not be doing their duty at a time of so much pressure, when there was greater pressure ahead, and the prospects of the country were darkening, if they allowed the Government to take so large an increase without some protest. He should like to divide the House if he could be assured of any reasonable amount of support against this increase of expenditure on the bricks and mortar of the Board of Works.

VISCOUNT PALMERSTON: The noble Lord and the hon. Member for West Norfolk (Mr. Bentinck) complain that the functions of Committee of Supply are a farce, and that no efficient control can be exercised over the Government. Why, Sir, the real fact is—and this is what makes some hon. Gentlemen so angry—that the Government themselves exercise a most vigilant control over the expenditure with regard to which they present Estimates; that these Estimates are most carefully framed, so that the money may be laid out in the most economical way possible; and that thus, when objections are made, such satisfactory answers are given that Gentlemen cannot carry a point which is shown to be against reason and good sense. Hon. Gentlemen talk about the enormous expenditure lavished upon the parks. Well, they cost about £90,000 a year, for which a great number of parks are maintained, and great enjoyment is derived by the millions of this metropolis. I must say that I think it would be a paltry economy to deprive the humbler classes in London of a legitimate enjoyment, merely for the purpose of making a small reduction in this Vote. We have been told to look at what is done in foreign countries, and especially in France. Now, do hon. Gentlemen know at all what is the expense of the single great park near Paris—the Bois de Boulogne? I am not talking of the expenditure in creating it, and a wonderful creation it is, and infinite honour it does to the author of so great a transformation in the face of nature. But I have been told on good authority, and I believe it to be the fact, that the maintenance of the Bois de Boulogne costs £140 a day—£50,000 a year, and it consists of the same sort of outlay as is necessary with us, such as watering the grass, keeping persons to look after those who frequent the park, maintaining seats, rearing flowers, and so on. Though the sum which our parks cost is indeed a large one, I think the enjoyment which the people of the metropolis, and those who come here from all parts of England, Ireland, and Scotland, derive from it, is amply equivalent to the expenditure. We are not to suppose that London is surrounded by a wall of brass and that no communication goes on with other parts of the country; on the contrary, as we know, a continual succession of visitors comes here from the country, and shares this enjoyment; and remembering that this expenditure is not so large as in other countries, I really hope that the Committee will not listen to any proposal for curtailing the Vote.

Mr. BENTINCK said, that the noble Lord had shown his usual ability, but not his usual candour, in defending the Vote. He had argued that it was impossible to pick a hole in the details, because the Estimates were framed with such care by the Government. But, if that was so, why did the Estimates go on increasing year after year? If things were well managed, there ought to be a decrease, and not an increase in the expenditure. Then the noble Lord talked of the enjoyment afforded by the parks to the millions of the metropolis. That might be true, but where did the money come from? Out of the Imperial Exchequer, so that the whole country paid for the enjoyment of the metropolis. Upon what principle of justice could that be defended. Local enjoyments ought to be paid for out of local taxation, and the charges for the metropolitan parks ought to be borne by the metropolis.

Viscount PALMERSTON said, the hon. Gentleman was quite mistaken in supposing the metropolitan improvements were carried on at the charge of the nation at large. The Metropolitan Board of Works were doing great things by means of rates levied upon the metropolis itself. The coal tax was applied for these objects; and if the Committee bore in mind the large sums which were raised here for improvements, they would see that London bore its full share of charge for local improvements, as compared with other parts of the country.

Motion made, and Question put,

"That a sum, not exceeding £70,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for Maintaining and Keeping in Repair the Royal Parks, Pleasure Grounds, &c., and other Charges connected therewith."

The Committee *divided:* — Ayes 67; Noes 115: Majority 48.

Original Question put, and *agreed to.*

(5.) Motion made, and Question proposed,

"That a sum, not exceeding £36,444, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for Works and Expenses at the New Houses of Parliament."

Lord JOHN MANNERS said, he wished to ask what was the meaning of the first item of £4,570 for the completion of the unfinished portions of the building.

Viscount Palmerston

Mr. COWPER said, that it was a re-Vote, including monies that should have been paid last year for the Victoria Tower and the Royal Gallery.

Lord JOHN MANNERS said, he also wished to know what was to be done to that part of the Clock Tower not yet completed.

Mr. COWPER said, that soon after he came into office Sir Charles Barry pressed upon him the desirableness of carrying out his plan for enclosing New Palace Yard. He, however, thought it right to defer any decision on the subject until the southern side of Bridge Street had been pulled down. That would be done at the end of this year or in the course of the next year, and then they would have to come to a determination whether they should build a wing from the Clock Tower to Great George Street, which might be employed as public offices, or whether Palace Yard should be left on two sides open. At present, it was an open question, and nothing would be done in the present year to decide it.

Major KNOX desired to ask whether anything could be done with reference to the widening of Parliament Street.

Mr. COWPER said, a Commission had reported on the subject, but no decision had been come to.

Colonel FRENCH said, he wished to know whether any decision had been come to with respect to the refreshment-rooms in the House. Those rooms were dark, narrow, and so contracted in the middle as to be something like the shape of an hour-glass. So inconvenient was their shape that the waiters could scarcely pass, and great confusion arose. It was unfair to throw the blame on the manager, for it was impossible for any one to properly discharge his duty under the circumstances. Mr. Barry's estimate of last year for the necessary alterations was so high that the right hon. Gentleman did not think proper to make any proposition to the House on his own responsibility. This year, however, the Committee had made a Report on the subject, suggesting certain alterations; and if the right hon. Gentleman did not feel prepared to make any recommendation to the House for carrying them into effect, they would bring the matter before the House themselves.

Mr. HUNT said, he wished to ask whether the right hon. Gentleman had considered the possibility of constructing an underground passage from the Clock Tower to the north end of Parliament Street, in order to avoid the awkward and crowded crossing at Bridge Street.

Sir JOHN SHELLEY said, that having spent a large sum of money in the erection of the building in which they were assembled it ought to be their first care to preserve it. He had, however, recently examined the whole of the exterior of the House, and he found that the decay was general, and unless something was speedily done the ornamentations of that House would disappear. Various processes had been tried to preserve the stone-work, and notably that of an Hungarian, a *protégé* of Sir Charles Barry's; but the portion operated upon by him was found to be in as bad a condition as any other part. There was one preparation—that of Mr. Daines—which did appear to answer, and which was spoken of by Mr. Sidney Smirke and Mr. Gilbert Scott in very favourable terms. After such a report as that, it was scarcely fair that the gentleman should have been treated as he had been; for while he had expended some £600 out of his own pocket, he had received only about £90 back; whereas the Hungarian had received large sums. He (Sir John Shelley) understood that when that gentleman proposed that his process, which had been highly approved, should be tried upon portions of the building to which it had not been previously applied, the right hon. Gentleman told him he might do so at his own expense. That was hardly fair. The right hon. Gentleman ought to be able to give some good reasons for not employing one who had been so successful.

Mr. ROGERS said, he would call the right hon. Gentleman's attention to the necessity of improving the ventilation of the dining-rooms, and that part of the House adjoining them.

Mr. REPTON said, he hoped the right hon. Gentleman would try whether some improvement in the approach to the House above ground could not be made. It was very difficult to get to the House at present, and one policeman could do little in keeping order where about forty or fifty carriages, carts, and horses were collected at the same time.

Mr. SCLATER-BOOTH said, there was a large item on the Votes for the erection of stables for the Speaker. He wished to ask where it was proposed to erect those stables and whether the £6,530 was to cover the whole expense.

Sir MATTHEW RIDLEY wished to ask with regard to the twelve statues to be placed in the Royal Gallery, whether their execution was to be intrusted to a few individuals; and if so, whether it would not be desirable that the Committee should have an opportunity of knowing whether the selection had been judiciously made? He also wished to know whether the statues were to be executed from models in the gross, or whether a guess was to be made at them from models in the small?

Mr. GREGORY said, there were a few matters connected with the Vote to which he wished to call attention. In the first place, he wanted to ask for information with respect to the decorations in the Queen's Robing Room. Some time since, two gentlemen of very high reputation, both members of the Royal Academy—Mr. Dyce and Mr. Herbert—were employed to decorate the Queen's and also the Peers' Robing Rooms. There had been very considerable delay; those gentlemen had been paid considerable sums, and he was sorry to say the work was not executed. With regard to Mr. Herbert he wished to make every allowance. He believed Mr. Herbert had been doing his best—he had been slow, but he was thoroughly conscientious in his endeavours to produce a work worthy of the place. But with regard to Mr. Dyce the matter was totally different. Mr. Dyce had been paid the whole amount he was to receive for the execution of his work, and year after year had passed and yet the work had not advanced. In the last Report of the Commission, dated 1861, Mr. Dyce was alluded to in the following terms:—

> "The stipulated remuneration for the entire series having been long since received by him, we have only to express our earnest hope that he will see the importance of prosecuting the work with greater assiduity."

He wanted to know whether any representations had been made to Mr. Dyce, with a view to ensuring his carrying out the engagements for which he had been paid? All he should say, if Mr. Dyce was not disposed to fulfil his engagement, he should characterize his conduct as scandalous—and he paused upon the word "scandalous" that there might be no doubt as to what he meant. There was another point. There were to be twelve statues, and the less said of them the better. He understood that six had been sanctioned by the House, of which four were George IV., William IV., James I., and Charles I.; and no doubt, in the opinion of some persons, the ornamentation of the House would be greatly improved by their appearance. Two more were to be produced, Charles II. and George III.; and as the Royal Commission on the Fine Arts had come to an end, he presumed the right hon. Gentleman would have the selection of the other works. The Commission had been expressly instituted for the encouragement and promotion of art throughout the country, but there had as yet been very extraordinary favoritism in the selection of the artists. Out of the whole twelve statues five had been intrusted to Mr. Munro and four to Mr. Thornycroft, and two to Mr. Woolmer and Mr. Munro jointly. He wished to know if such a mode of proceeding was the best way to encourage and promote art throughout the country?

Colonel SYKES animadverted on the sum charged for taking up the mats and sweeping away the dust of the House. He thought £1,100 was too large a sum for such a service.

Mr. COWPER said, he quite agreed that it was very desirable to adopt an effectual mode of preserving the stone of the Houses of Parliament. The matter had been referred to a very scientific and able Commission, but their Report had not justified him in adopting any one of the processes which had been suggested. Mr. Daines's process had not been recommended. It consisted in the use of a perishable material, being a combination of oil and sulphuric acid, and was not of a permanent character. It had not yet had that amount of trial which would justify his proposing a Vote for its application. The same course had been taken in regard to it as to the other processes; the inventor was allowed to make experiments on the walls of the building at his own cost. No doubt M. Szerelmy had been paid; but that was on a different ground, because his plan had the recommendation of Professor Faraday and Sir Roderick Murchison. He agreed with his hon. and gallant Friend that the Report of the Select Committee on refreshments was deserving of great attention. They spoke in the Report of the bad ventilation of the dining-room, and the plan mentioned by them was an effectual way of meeting the desired object; but he thought it wiser to give a little further consideration to the subject. With regard to a tunnel under Bridge Street, he thought it would no doubt be very convenient for persons going from the Houses of Parliament along the banks of the river, but it could only be made in connection with the embankment. The Vote for the Speaker's stables was merely a re-Vote of the sum taken in 1860-1. There had been great delay in finding any site for a stable in the immediate neighbourhood of the Speaker's house, and, after two years spent in negotiations, they had to abandon the prospect in despair. The site now fixed on was at the end of Millbank Street—a very healthy spot, the only objection to it being its distance from the Speaker's house, and that objection it was proposed to diminish by a telegraphic wire, the expense of which was included in the Estimate. He had had some communication with Mr. Dyce with regard to the painting in the Queen's room, and he was assured that Mr. Dyce was going on with his work as rapidly as he could. The period of the year during which the artist could advantageously paint the walls of that apartment was limited, but it was more important to have excellence than rapidity in the completion of the work—a very noble and admirable work it no doubt would be when finished, with all the skill and masterly talent of Mr. Dyce. He hoped the delay would not be repeated in future years. The Vote for statues was not for new statues, but for the completion of the six already ordered. The year before last a Vote was taken for four statues, which were intrusted to Mr. Theed and Mr. Thornycroft. Only one instalment had been voted for two statues intrusted to Mr. Woolmer and Mr. Munro. The Fine Arts Commission having finished their labours, the responsibility of selection would now rest with the Government. The series of statues was an historical one, and the selection depended on the positions to be occupied, not on the characters of the Sovereigns. The Vote was only to complete the statues already ordered, and would not be applied to any new works.

Mr. TITE said, he had had the honour of being a Member of the Committee which had been referred to in connection with the decay of the stone of which the Houses of Parliament were constructed; and though it was composed of some of the most eminent chemists, engineers, and geologists, he was sorry to say that the Committee could not come to any satisfactory conclusion on the subject. Mr. Daines's process had been brought under their consideration, and the eminent chemists who acted on the Committee found that it amounted to covering the stone with boiled oil with a small quantity of sulphur in it. He did not think it would be expedient to make any large outlay of public money on such an operation. He hoped, however, that some effectual means would be discovered for arresting the decay, which did not extend beyond a certain height from the ground. The Committee recommended that any one should be invited to experiment upon the decayed portions, a plan which he believed was being acted upon. He might further observe that the ventilation of the House was still imperfect, both the upcast shafts constantly throwing out a black sooty gas, and he hoped that some remedy would be found for that defect also.

MR. CONINGHAM said, he trusted that the right hon. Gentleman would stop all further expenditure under that head. The application suggested for preserving the stone of which these Houses were built was merely the specific employed abroad for curing the mange in dogs. If the style of art which they had seen develop itself on the walls and in the passages of that edifice was what they might anticipate in the future, the sooner the proposed expenditure upon it also was stopped the better.

LORD ROBERT CECIL said, he had no objection to "Moses bringing down the tables of the Law to the Israelites," or to the statue of George IV., the two congenial subjects proposed for artistic illustration by the Votes of that evening; but as the right hon. Gentleman had already obtained the money for executing them, he could not understand why he should come to them for it over again; £6,000 had been already voted for Moses, and £4,800 for George IV., and on the former £3,500, remained unexpended, and £3,200 on the latter. Yet they were now asked for another £1,600 for the one, and another £1,300 for the other. If the right hon. Gentleman and his predecessors had not paid Mr. Dyce in advance, there was little doubt that his work would have been finished before then.

SIR JOHN SHELLEY said, he did not think it fair to Mr. Daines to require him to put up scaffolding at a large expense in order to test a process which had already been shown to be of some good. He hoped the destruction of the stone would no longer be allowed to go on without some remedy being applied, if even it were only of a temporary character.

MR. COWPER said, the noble Lord was not, perhaps, aware that on the 31st of March last there came into operation a new rule, by which all unexpended monies then in the hands of the Government had to be repaid into the Exchequer. Consequently the Votes asked were for amounts which had been previously voted and paid over to the Exchequer, because unexpended at the date named; and they had now to be re-voted. Engagements had been made with the artists which must be kept. The mode adopted for paying the artists was the almost universal one of advancing a certain sum before completion. All the smoke which issued from the chimneys of the Houses of Parliament was produced in the private apartments. The fuel used in the public parts of the building was coke, not coal. It would be hardly worth while to interfere with the private residents. Nothing was doing to repair the frescoes, because the exact source of decay had not yet been discovered.

MR. W. WILLIAMS said, he would move that the Chairman report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again on *Wednesday.*

CORRUPT PRACTICES AT ELECTIONS BILL—[BILL 136.]

LORDS' AMENDMENTS CONSIDERED.

Lords' Amendments *considered.*

SIR GEORGE GREY said, the first Amendment of importance was the omission of the clause which provided that by a Resolution of the House of Commons alone a writ might be suspended for five years. Under the alteration it would require a Resolution of both Houses. He attached some importance to the clause; but as he did not wish to imperil the Bill, he had no objection to agree to the Amendment.

Agreed to.

Several Amendments *agreed to.*

Amendment, to leave out Clause 11, read.

MR. HUNT said, he hoped the House would support him in resisting the next Amendment, which was the omission of a clause introduced in Committee at his instance, providing that the expenses of a Commission should fall upon the peccant borough. The clause had been unanimously accepted by hon. Members, and it related to a subject which was peculiarly in their jurisdiction. He moved that the House disagree with the Lords' Amendment.

Mr. VANCE supported the Amendment.

Sir GEORGE GREY said, he was not disposed to differ with the Lords in regard to the clause, which was not in the Bill as originally framed, and would introduce a rather novel course of proceeding.

Motion made, and Question put, "That this House doth disagree with The Lords in the said Amendment."

The House *divided*:—Ayes 40; Noes 61: Majority 21.

Amendment *agreed to*.

AFRICAN SLAVE TRADE TREATY BILL.

[BILL 144.] SECOND READING.

Order for Second Reading read.

Viscount PALMERSTON: It is only just to the United States to draw the attention of the House to this Bill. We all know that for a great number of years the African slave trade was protected by the shelter of the United States flag. Last year, however, the Government of the United States, in the most handsome manner, agreed to a treaty by which that protection was no longer to be afforded. They concurred in those arrangements usual between different Powers, giving a mutual right of search, constituting mixed tribunals for the trial of vessels caught in carrying on the slave trade, and making other provisions connected with those adjudications. It was found that the extent of the area to which those arrangements applied was not sufficient. This year, therefore, the Government of the United States agreed to a supplementary article extending to the neighbourhood of Madagascar the right of search, which in the first treaty was confined within too narrow limits. It is due, I think, to the liberality of the United States Government that I should point this out to the House. Last year the measure was passed very much as a matter of form, and without sufficiently attracting the notice of Parliament or of the country. It is no more than justice to the American Government, who have behaved in the most honourable and liberal manner in regard to this matter, which is of great interest to this country, that the second reading of the Bill should be marked by some attention being paid to it.

Mr. CAVE said, he was very glad that so important an addition had been made to the treaty as represented by the noble Viscount. There was, he hoped, no slave trade to Porto Rico or St. Domingo; but the extension of the right of search to the seas which surrounded these islands would enable British cruisers to close more effectually the avenues of communication with the arch-offender Cuba; and if British sailors were sufficiently active, they might in some degree neutralize the advantages given to that island by British capital and British legislation. Similar activity might also be desirable off Madagascar; for the French Governor of Réunion openly threatened the British Consul there, that if England enforced inconvenient regulations respecting coolies, the French would resume African immigration; and if it was not already known what that meant, a despatch from Sir Baldwin Walker, just laid on the table of the House, in reference to the immigration from Mozambique to Nos Bé *viâ* the Comoro Islands would enlighten them. He heard also that M. Regis, of Marseilles, still continued to keep up his establishments in Africa for that purpose, which made him suspect that the Emperor was already beginning to repent of his anti-slavery edicts, mild and moderate as they were. He regretted much that this very important treaty excited so little attention last Session, and that the measure for carrying it into effect was coldly received and passed without remark, like a mere Continuance Bill. He should be sorry that America and France should imagine that the interest of England in the great question of the slave trade had died away; and though he did not wish to pay compliments to the American Government for having thus late done simply what was just and right, yet, as he had felt it his duty more than once in that House to express himself in strong terms upon their conduct in reference to the slave trade, he would not be backward in acknowledging that most important and honourable change in their policy, a solitary bright spot amid the gloom of their deplorable civil war. With regard to the whole measure, he would only advert to the highly important equipment clause, by which the presence of certain fittings on board a vessel was no longer, as hitherto by American law, mere presumptive evidence of slave trading, but proof positive unless rebutted. He would also call attention to the 16th clause, under which the crew were to be sent home for trial, which the recent execution of a slave captain in New York showed to be no empty form. A Spaniard, who had made many successful slaving voyages, and whom he casually met in the Gulf of Mexico, said to him, "We don't care much for capture, that is simply a matter for insurance; but if you wish to stop the slave trade, which" (he did the English the honour to say) "I don't believe, hang the captain, or one of the crew if you can't identify the captain, and you will stop the trade in six months; we cannot insure against hanging." On the other hand, it seemed inexpedient to send slaves captured near Cuba direct north to New York, perhaps in the depth of winter. He had always thought, too—and that was a provision of the Bill, not the treaty—that head-money was not a good mode of rewarding sailors, as it laid them open to the charge which he had often heard, though he believed it to be entirely without foundation, of allowing vessels to take in their slave cargoes before capturing them. There were other points on which he might remark, but he was too well satisfied with so important a step to be minutely critical. He might mention two circumstances new possibly to Her Majesty's Government, and interesting, as showing what had been the effect of the mere rumour of the measure. He once stated in that House that Havannah was illuminated on the receipt of the news of the Bill of 1846, which equalized the duties on free and slave-grown sugar. As a contrast to that, he had heard that on account of the apprehension caused by the Treaty the demand for machinery had slackened in Cuba; and more than this, that certain proprietors had given orders that their slaves should no longer be worked for the same excessive number of hours, not from motives of humanity, but because they they knew, that when the supply was stopped, slaves would be too valuable to be worked to death in eight years, as they had hitherto been under the most approved and economical estate management in Cuba. Important, however, as the treaty was, its objects could not be fully attained so long as there remained the flag of any nation under which the slave traders could find shelter, and unfortunately the tricolor gave them the protection they once enjoyed under the stripes and stars. Late advices from Sierra Leone mentioned the departure of a French screw slaver with 1,250 slaves for Havannah. They were told also that the French were re-establishing works at Whydah, a notorious slave-trading port; but the most remarkable circumstance was detailed in the Sierra Leone paper the *Free Press*, of the 16th of April, which he would ask permission to read to the House, and with which Her Majesty's Government were no doubt already acquainted—

> "An English cruiser, the *Zebra*, took, on suspicion of being a slaver, a vessel which carried the French flag, but which flag was hauled down when the officer from the *Zebra* went on board. The vessel arrived here without colours, and in charge of a lieutenant and prize crew, and the usual steps were taken to place her in the Vice Admiralty Court. The French Consul presented a formal protest against the seizure of the vessel on the ground of her being really French, but the Governor declined to interfere between the seizors and the decision of the Court. On Saturday morning, a French steamer of war arrived in the Roads, and it is reported that the captain declared his intention of awaiting no decision; but that having satisfied himself of the nationality of the vessel, he would proceed to take her by force. From the appearance of the military and naval preparations, we believe that they would have signally failed, but fortunately the Court came to a decision releasing the vessel."

He did not wish to remark upon the grave international question involved in that strange proceeding, but merely to show how hopeless it was to stop a trade carried on under the flag of a powerful nation. He trusted, however, that Her Majesty's Government would not delay to make use of the powers given them by this Treaty, but would at once send a squadron of swift gunboats to the coast of Cuba, if they had not already done so. The Cuba coast was of immense length, but from the south-east (the slavers' course) it could only be approached by two channels. In those latitudes near the shore, the wind blew from the sea during the day, and from the land at night. There was an interval about sunrise when there was a dead calm. Nothing moved. The vessels in the offing lay

> "Like painted ships upon a painted ocean,"

waiting till they could carry the breeze in with them. At that time the swiftest sailer was at the mercy of a steam gunboat. He was one of a deputation which laid these facts before the noble Viscount some years ago. The noble Lord acted on the suggestions made to him, and with such effect that the slave-trade was for a moment paralysed, till the traders got up stories about insults to the American flag, which eventually induced Government, for the sake of peace, to withdraw the squadron and allow the slave trade to be carried on under that flag with perfect impunity, with what result Consul General Crawford's recently-published despatches fully testified. That difficulty had been happily removed by the present treaty. He congratulated the Government on the result of their negotiations. If they were determined to take advantage of the situation, and to send a few fast steamers to their old cruising ground in the Caribbean Sea, and if the negotiations which it was stated were pending with France proved equally successful, then it might be hoped that free labour might be at length relieved from the unfair competition by which it was well-nigh paralysed, as the memorials he had lately presented from the West Indies showed, notwithstanding some prosperity statements lately made by some who might have known better—it might be hoped that it was indeed the beginning of the end, and that that abominable traffic might become a matter of history even in our day.

Mr. CONINGHAM said, he wished to express his great satisfaction at the language used by the noble Lord with reference to the United States and their liberality in agreeing to the treaty. He hoped they might accept it as an indication that the policy that had been hitherto adopted with reference to America, the policy of non-intervention, would be the policy of the future, and that the Government would not be swayed by the reports of public meetings held in the North, which he did not believe represented the liberal intelligent and enlightened opinion of the country. If the Government followed the policy of non-intervention, he had no doubt that it would be supported by the country.

Mr. BUXTON said, that every one must acknowledge the great liberality of the Government of the United States in this matter, and feel gratified at their desire to wash their hands finally and for ever of any participation in the slave trade. He would suggest that Her Majesty's Government should consider the expediency of either taking possession of Whydah, or of obtaining some footing there, whereby a deadly blow might be given to the traffic in slaves.

Mr. TORRENS observed, that he was of opinion that the discussion should be postponed until the House had an opportunity of considering the Bill.

Mr. KINNAIRD said, he conceived that the measure was of the greatest importance, and that it would save this country a great deal of expense which otherwise it must incur if it wished to check the slave trade.

Mr. HENNESSY said, he was astonished, if the Bill were one of the most important of the Session, as the noble Lord had declared it to be, that it had not been produced. The noble Lord had not told them a word about the clauses of the Bill. Where was it?

Sir GEORGE GREY said, the Bill only confirmed the treaty, which had already been laid on the table of the House, and in it the hon. Gentleman would find all the substance of the Bill.

Bill read 2°, and *committed* for *Thursday.*

OFFENCES (SOUTH AFRICA) BILL (*Lords*).

[BILL 113.] THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

Mr. ADDERLEY said, he rose to move that the Bill be read a third time that day six months. The extension of British law and British authority to large tracts beyond the South African Colonies would be certain to involve us in disputes with the various native tribes. The Colonies of the Cape of Good Hope and Natal had perfect legislative powers to deal with the question, if there was any necessity; but he contended that it would be better to leave it alone altogether. Kaffir wars had already cost this country sufficient to make Parliament extremely careful not to sanction anything which might involve us in another; and the Bill, if it did not remain a dead letter, was not at all unlikely to have that result. He would conclude by moving that the Bill be read a third time that day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Adderley.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. CHILDERS suggested that the Executive Council should be made responsible for the extension of British jurisdiction.

MR. ARTHUR MILLS said, he must protest against a measure of such a dangerous character, likely to lead to aggression and increase of taxation to the Imperial taxpayers, being passed in such haste and with so little deliberation.

MR. CHICHESTER FORTESCUE ridiculed the fears and alarms of the opponents of the Bill as completely groundless.

Amendment, by leave, *withdrawn.*

Order for Third Reading read, and *discharged.*

Bill *re-committed; considered* in Committee; Committee report Progress; to sit again on *Friday.*

HOLYHEAD HARBOUR.

NOMINATION OF COMMITTEE.

MR. LAIRD moved, that the Select Committee on Holyhead Harbour do consist of the following Members:—Colonel Dunne, Mr. Corry, Mr. Laird, Colonel Pennant, Colonel Vandeleur, Lord Naas, Mr. John Tollemache, Mr. Lefroy, Mr. Milner Gibson, Mr. Stansfeld, Mr. Herbert, Mr. Dalglish, Colonel French, Lord John Browne, and Lord Richard Grosvenor.

THE CHANCELLOR OF THE EXCHEQUER: I do not rise for the purpose of offering any opposition to the nomination of this Committee, but at the same time I beg to say, on the part of the Government, that we retain all our original objections to its appointment. The Government were of opinion from the first that this was not a case which it was desirable to refer to a Select Committee; but the House overruled their decision on that point. We were quite willing to concur with the hon. and gallant Gentleman (Colonel Dunne) who moved for the Committee in the composition of an impartial tribunal; but unfortunately we were altogether unable to arrive at any common view on that head. In my opinion, the list of names which the hon. Gentleman opposite has undertaken to move is as far as possible from being an impartial Committee. I have not a word of objection to offer to the name of any individual member of that Committee; but, as a body of gentlemen, these cannot be said to come without prejudice and with open minds to the consideration of this question. The minds of the majority, at any rate, are not in that impartial state, and therefore this list is in no degree entitled to be spoken of as an impartial Committee. To begin with, the majority are Irish Members or Irish gentlemen who have a direct personal concern in the amount of accommodation to be offered at Holyhead. That majority is backed up by the hon. Member himself (Mr. Laird) who has given his opinion on the question in favour of the view taken by the hon. and gallant Member for Queen's County (Colonel Dunne) who introduced the subject. Of the remaining Members some are locally connected with the traffic finding its way to Holyhead Harbour; so that in point of fact, after deducting the two Gentlemen holding office, who are supposed abundantly to represent the views of the Government, only one, the hon. Member for Glasgow (Mr. Dalglish), is left to represent the independent Members of the House of Commons. The Government might, of course, propose that some of these names should be omitted and replaced by others more impartially selected; but that is a course which would be invidious and annoying to those Gentlemen to whom individually we should regret to be wanting in proper respect. After, all we have protested *in limine* against the Committee as one the appointment of which ought not to take place; and I need not add that our own view is very much strengthened by the materials of which it is proposed to constitute the Committee. I only state this to avoid giving trouble to the House and to the hon. Member, and to give him fairly to understand that we retain all our original objections, very much heightened and strengthened by the not altogether common course adopted in the selection of these Gentlemen. My right hon. Friend (Mr. M. Gibson), whose name has been put upon the list, will be very glad to give every assistance in his power to the Committee; but I feel myself bound to say, even before the Committee sits, that we do not think the subject one that ought to be referred to its consideration, and that we shall not be able to look upon its finding as the verdict of an impartially constituted tribunal.

MR. GEORGE: The course which the right hon. Gentleman has just pursued is one which, I venture to think, is very unusual. The right hon. Gentleman does not venture to propose the insertion of other names upon the list in place of those now standing upon it; but, by some process of reasoning, which I am at a loss to understand, he arrives at the conclusion that these names, although individually fit to serve upon the Committee, in the aggregate are not likely to come to a fair decision. I say it with great respect to the right hon. Gentleman, but I do think it would have been more becoming in him, more graceful in Her Majesty's Government, to bow to the decision of the House in reference to the appointment of a Committee on a subject of such serious interest to the two countries, and to have waited till the subject had received, as I have no doubt it will receive, the impartial consideration of that Committee, than to prejudge, as he has done, the entire question—intimating, at the same time, in terms not to be misunderstood, and very far from complimentary to that tribunal, that Her Majesty's Government are hardly prepared to pay attention to the decision of that Committee, whatever it may be. At such an hour it would not be becoming in me to comment upon the names put upon the Committee. I can only say, with regard to my own name, that when it was intimated to me that there was the slightest objection to it, not directly, but on account of my connection with a company forming one of the contracting parties for the carriage of the Irish mails, I at once bowed to the objection, and declined to allow my name to be placed upon the Committee.

Colonel FRENCH: After the statement of my hon. Friend the Member for Wexford, it is hardly necessary for me to add anything, but I cannot refrain from saying that the course pursued by the right hon. Gentleman is entirely without precedent. He states that the appointment of this Committee was carried in opposition to the Government. If that be so, I should imagine it was the duty of the Government to bow to that decision. The right hon. Gentleman objects to the Irish Members of the proposed Committee. Pray, how are Committees to be constituted in this House? At this moment there are about twenty Committees sitting. Several of these are without an Irish Member at all; nine of them, I think, include only one Irish Member, and of the remainder the proportion of Irishmen does not exceed two in any instance. The Irish Members had a right to the nomination of this Committee, but they wished to act in a spirit of fair play, and they offered to the Government the nomination of a certain number of Members. The names of several Gentlemen, of whom some were English, were submitted to an officer of the Government, and were capriciously rejected. At this moment there are upon the Committee eight Members who do not represent Irish constituencies; that is, more than one-half. To the intimation, therefore, which we have received that the Chancellor of the Exchequer will not pay attention to the Report of this Committee, whatever it may be——

The CHANCELLOR of the EXCHEQUER: Those were not my words.

Colonel FRENCH: —No; but that was the meaning of them. We regard that intimation as an idle threat. The recommendations of the Committee must stand or fall by their justice and truth; and if the Chancellor of the Exchequer adopts that tone towards us, we must appeal to the House, to decide whether their Report is or is not entitled to its favourable consideration.

Mr. ESMONDE: —I also must enter my protest against the course taken by the Chancellor of the Exchequer; and if the observation be not un-Parliamentary, I would designate that course as unbecoming, feeling as I do very strongly on the subject. He says that upon a question of that sort Irish Members are so much interested that they are not fit to sit upon a Committee. If the right hon. Gentleman had to cross the Channel as often as we have in all sorts of weather, according to his own opinion he would not be fit to sit on this Committee. We heard it stated, early this evening, that the mode in which Supply is taken is a farce. If Committees are to be appointed, and then their recommendations are to be treated in the manner proposed by the Chancellor of the Exchequer, the appointment of Committees will become a much greater farce than the taking of Supply. I do not think we have to thank the Chancellor of the Exchequer for anything we may have gained by the appointment of this Committee; for I remember sitting till a late hour, when the Chancellor of the Exchequer moved the adjournment of the House, to avoid being beaten on this very subject. The course he now pursues puts me in mind of the forced consent of Othello's father-in-law to his marriage with his daughter—

"I here do give thee that with all my heart
Which, but thou hast already, with all my heart
I would keep from thee."

Motion *agreed to.*

Select Committee *nominated*, as follow :—

Colonel DUNNE, Mr. CORRY, Mr. LAIRD, Colonel PENNANT, Colonel VANDELEUR, Lord NAAS, Mr. JOHN TOLLEMACHE, Mr. LEFROY, Mr. MILNER GIBSON, Mr. STANSFELD, Mr. HERBERT, Mr. DALGLISH, Colonel FRENCH, Lord JOHN BROWNE, and Lord RICHARD GROSVENOR :—Power to send for persons, papers, and records; Five to be the quorum.

TROUT, &c. FISHING (SCOTLAND).

LEAVE. FIRST READING.

MR. W. EWART said, he rose to move for leave to bring in a Bill to render uniform the law with respect to fishing with the single line for trout, and other fish, not of the salmon kind, in Scotland. His object was to remove an anomaly in the law of Scotland. By the general law it was lawful to fish with the line, and where no trespass was committed for fish other than those of the salmon race; but in three or four rivers in the district with which he was by representation connected, by a recent construction of a statute, persons (and the propietor of the fishery himself when it had been let for salmon fishing) were prohibited from fishing, even with the line, for any fish whatever. It was to remove that manifest inconsistency and injustice that he proposed the present Bill.

Bill to render uniform the Law with respect to fishing for Trout and other Fish, not of the Salmon kind, in Scotland, *ordered* to be brought in by Mr. WILLIAM EWART and Colonel SYKES.

Bill *presented*, and read 1°. [Bill 146.]

NAVY PRIZE MONEY BILL.

LEAVE. FIRST READING.

SIR JOHN HAY said, he wished to move for leave to bring in a Bill to facilitate the distribution of prize money, bounties, &c., to the navy.

LORD CLARENCE PAGET said, he should not oppose the Motion, at the same time he wished to mention that a Bill was being prepared by the Admiralty dealing with the subjects of naval prize courts and prize money. He hoped that the hon. and gallant Admiral would not ask the House to read his Bill a second time, until that measure had been introduced.

Bill for facilitating the distribution of Prize Money, Bounties, and other such Monies, to the Navy, *ordered* to be brought in by Sir JOHN HAY, Admiral DUNCOMBE, and Sir JAMES ELPHINSTONE.

Bill *presented*, and read 1°. [Bill 147].

House adjourned at a quarter
before Two o'clock.

HOUSE OF LORDS,

Tuesday, June 2, 1863.

MINUTES.]—SELECT COMMITTE—Appeal Committee, *Second Report.*

PUBLIC BILLS—*Third Reading*—Savings Banks Monies (No. 97), and *passed.*

Their Lordships met; and having gone through the business on the Paper without Debate,

House adjourned at a quarter past
Five o'clock, to Thursday next,
half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, June 2, 1863.

MINUTES.]—NEW MEMBER SWORN—George Joachim Goschen, esquire, *for* London.

SELECT COMMITTEE—*Report*—on Public Accounts—*Second Report* (No. 309).

PUBLIC BILLS—*Ordered*—Madras Irrigation and Canal Company*.

Report—Pier and Harbour Orders Confirmation* [Bill 148.]

PUBLIC-HOUSES BILL.

OBSERVATIONS.

MR. SOMES said, some time ago he presented a Petition, professedly signed by Licensed Victuallers in Hull, in favour of closing public-houses on a Sunday. The Licensed Victuallers of that town had instituted an inquiry into this Petition, and they contended that of 176 signatures to the Petition ninety-four were those of beer-house keepers, some of whom were deceased or had left their premises; seven, of those who died some time ago; fifteen, who left their premises in 1862; thirty-two were genuine signatures; eighteen were doubtful, having been called on and not seen; two were not known, and seven were false signatures. He (Mr. Somes) had also instituted an inquiry, and he found, on reliable authority, that although it was mentioned in the note that accompanied the Petition that it was from licensed victuallers, eighty-four signatures were those of beer-house keepers; seventy-six were licensed victuallers; nine had wine licences; one signature was supposed to be that of a servant; one was unknown; one house from which a signature had been obtained had four occupants in twelve months, and two of the people who signed the Petition had gone away and left no address. He should say that the Petition was got up in 1862, in anticipation of some measure for closing public-houses on Sundays. It was merely for that purpose, and not in favour of his (Mr. Somes's) Bill. He mentioned this matter because he did not wish to deceive the House.

ELSWICK ORDNANCE COMPANY.

QUESTION.

Sir HENRY WILLOUGHBY said, he wished to ask the Under Secretary of State for War, If any sum or sums of money are to be paid to the Elswick Ordnance Company under any indenture or agreement; and if any sum or sums of money are to be paid, out of what funds will the payment be made, and by what authority?

The Marquess of HARTINGTON said, in reply, that in consequence of its being found that adequate employment could not be advantageously given to the Elswick Ordnance Company, Sir George Lewis determined to put an end to the Contract between the Government and the Company. It was referred to valuers to state what sum should be paid for compensation, and they sent in an award amounting to £85,000, of which £65,000 was not disputed, and £20,000 was doubtful; the valuer on the part of the company claiming it on account of depreciation of plant, &c., the other valuer objecting to the validity of such claim altogether. Sir George Lewis obtained the sanction of the Treasury for the payment of the £65,000 out of the Vote of last year; and as to the £20,000 negotiations followed, and the result was that £65,000 had been paid, with the sanction of the Treasury, out of the Estimates of last year, and the Government had taken plant and stores to the amount of £20,000. The total amount which had been and would be paid was £85,000, the Government receiving full value for £20,000 of that sum. The £20,000 remained to be paid out of the present year's Estimate.

THE INTERNATIONAL EXHIBITION BUILDING.—QUESTION.

Mr. GREGORY said, he would beg to ask Mr. Chancellor of the Exchequer Whether a detailed estimate of the repairing, altering, and eventually completing the International Exhibition Building will be laid before the House; whether any statement will be made to the House of the object the Government has in view in purchasing this building, and to what purposes it is to be applied; whether the two glass domes are to be replaced by two permanent structures on the same design, and when the Vote will be taken for this embellishment of London and its vicinity?

The CHANCELLOR of the EXCHEQUER: Sir, I feel myself under a double difficulty in answering the question of my hon. Friend. One difficulty is that my noble Friend at the head of the Government has already given notice of the day on which he will submit this important plan to the notice of the House, which is so far an answer to the last part of the question. The second difficulty is that the question itself, especially in its closing phrases, is so fine a work of art that I feel that any answer I can make would be unworthy to stand in comparison or competition with it. The estimate for the cost of altering, completing, and repairing the International Exhibition Building forms part of the whole of that Vote that has been laid upon the table some time, and upon which reliance can be placed; and my noble Friend will be prepared to state fully the object of the Government in proposing the acquisition of the building, the immediate purposes to which it will be applied, and very particularly also the sum of money it will cost the country to satisfy those purposes in any other way. He will also be prepared to state what is the estimated value of this building and the ground upon which it stands; but it may be interesting to my hon. Friend and the House if I state now the value as it has been ascertained since I stated last night to the noble Lord opposite (Lord John Manners) what price has been agreed to be paid. The value of the building can best be judged of by the agreement made between the Commissioners of the Exhibition last year and the Contractors who erected the building. The price that was agreed upon for the building for what is termed use and waste, that is the temporary occupancy of the building, was £300,000, and the price they were to pay in addition for the purchase of the building out and out, if they desired, was £130,000, making a total of £430,000 in all. The price we propose to Parliament to pay the Contractors for precisely the same object that was effected by the transaction I have just described is £80,000 in lieu of £430,000. The value of the site, with the exception of the building, which we are to purchase, or the price that we are to pay, is £120,000, together with certain buildings, used as refreshment rooms, belonging to the Commissioners. The estimated value of that site—and I think the moderately-estimated value of that site for building purposes, together with £30,000 for the refreshment rooms, is £280,000; and the result of that is that £710,000 would be the estimated value of the property for the purposes of the market —for the purposes of the Commissioners, as it was estimated last year between the Commissioners and the Contractors at those sums of £430,000 for the building and £280,000 for the site together with the refreshment rooms—and that property is to be had, by the conjunction of circumstances, by the public at a cost of £200,000.

MR. GREGORY: May I ask the right hon. Gentleman whether a Vote will be taken immediately after the statement of the noble Lord on the subject of this very great bargain?

LORD ROBERT CECIL: I would also ask the right hon. Gentleman if he has in his office any means of obtaining an estimate of the cost of these buildings for annual repairs after they have been purchased.

THE CHANCELLOR OF THE EXCHEQUER: The cost of the annual repairs of a building of this nature can be estimated with reference to its magnitude and with reference to its character, and no doubt a calculation can be made. I am not authorized to speak positively for my noble Friend, but the Estimate has been laid on the table, and a considerable time will be allowed to the House before a payment is asked in relation to it, in order, I presume, that the Vote may be taken at the time it is brought on.

MR. HENRY SEYMOUR: May I ask if any Estimate will be laid on the table of the House of the amount that will be required to make the building assume a decent appearance?

THE CHANCELLOR OF THE EXCHEQUER: Yes, the Estimate that has been laid on the table includes the necessary cost of making the building assume a decent appearance.

VOLUNTEER ENGINEERS.

QUESTION.

MR. PEACOCKE said, he wished to ask the Under Secretary of State for War, If there is any objection for the Government to supply Volunteer Corps of Engineers with the implements necessary for their duties?

THE MARQUESS OF HARTINGTON said, a Circular, dated the 24th of August, 1861, had been issued, which contained certain Instructions on the subject, and which was accompanied by a list of no less than thirty-five articles, which were issued gratuitously, on application, to the Commanding Officers of Engineers.

METEOROLOGICAL DEPARTMENT.

QUESTION.

MR. AUGUSTUS SMITH said, he would beg to ask the President of the Board of Trade, Whether he will lay upon the table of the House a Copy of the Correspondence which has lately taken place between the Meteorological Department of his office and the Royal Society?

MR. MILNER GIBSON: Yes, all that Correspondence will be laid on the table

LIGHTS, BUOYS, AND BEACONS.

QUESTION.

MR. AUGUSTUS SMITH said, he would also beg to ask the President of the Board of Trade, When the Index to the Report of the Commission on Lights, Buoys, and Beacons, will be printed and presented to the House?

MR. MILNER GIBSON said, in reply, that the Commission had supplied no Index, nor did he think it necessary to add an Index to the Report, inasmuch as it was accompanied by tables which made reference very easy.

CASE OF THE "ALEXANDRA."

QUESTION.

MR. HOPWOOD said, he wished to ask Mr. Attorney General, When the case of the *Alexandra* is to be tried?

THE ATTORNEY GENERAL said, he must apologize to the hon. Gentleman for having been absent from his place when he had put the Question on the previous evening. He had, he might add, every reason to believe that the case of the *Alexandra* would stand for trial at the sittings after the present term, and might be expected to come on on Monday week.

MR. HORSFALL said, he wished to ask, whether the hon. and learned Gentleman would object to furnish the informations in the case?

THE ATTORNEY GENERAL said, he could not assent to the furnishing of any informations of the nature to which the Question of the hon. Gentleman referred, and for which application had been ineffectually made on a former occasion.

MAYNOOTH COLLEGE ACT.

RESOLUTION.

Mr. WHALLEY rose to move that this House immediately resolve itself into a Committee to consider the Act 8 & 9 *Vict.*, for the Endowment of the College of Maynooth, with a view to the repeal of the same, due regard being had to vested rights and interests. The hon. Member, having presented thirty-seven Petitions, signed by 50,000 persons, for the repeal of the Maynooth College Act, proceeded to say that the large number of Petitions he had presented was his justification for bringing the subject once more under the attention of the House. The purport of those Petitions was that every year had more strongly confirmed the conviction of the Petitioners of the inexpediency, in the first place, of the grant to Maynooth; and secondly, the inexpediency of its withdrawal by the Act of 1845 from the control of the House of Commons. The subject had been continuously before the House for the last seven years; and as the hon. Member for North Warwickshire (Mr. Spooner) had frequently submitted it to their attention, and ably shown the results of this institution on the religious and civil liberty of the country, the task he had to perform on the present occasion was comparatively easy. Instead of being obliged to solicit the attention of the House to possible future dangers, to doctrines in books or abstract teachings, he was enabled to show the practical results of the teaching at Maynooth, which, he thought, amply justified him in bringing forward the question. In the present Session the leaders of both parties in the State had vied with each other in cordially and completely ratifying an alliance with the priest party who were trained and educated at Maynooth. This, and other circumstances, fully warranted them in asking what that party was. The Chief Secretary for Ireland, on the last occasion when this subject was brought before the House, admitted that Maynooth was an experiment, and that it had been an ignominious failure. But another right hon. Gentleman on the Treasury bench declared that Maynooth was not only an ignominious failure, but that it would be a thorn in the side of England so long as it was allowed to continue. Though the grant to Maynooth out of the public purse was only £30,000 a year, it resulted in a drain upon the public purse to the extent of £400,000 a year. The unfortunate influence of the teaching given at Maynooth made itself felt in a variety of ways. They had found, within the past year, the social and political disorder which had for so many years prevailed in Ireland extended to this country. The House should remember the riots which had recently occurred in Hyde Park and at Birkenhead, and the disloyal demonstrations which had accompanied the attempt to celebrate the marriage of the Prince of Wales in certain Irish towns on the 10th March last. Would any one attempt to deny that these riots were the result of organization; that Cardinal Wiseman had made himself a party to the demonstration in Hyde Park by passing through the park at the time it was going on—would any one deny that the rioters were organized and paid by the Roman Catholic priests, and that the priests paid the penalties imposed on the convicted rioters? In the same way, did any one doubt that the disturbances at Birkenhead were organized by the priests? Looking to the feeling in the country, he asked whether it was not the duty of the Government to make some inquiry as to that organization. Government, however, made no such inquiry, but they shut the gates of Hyde Park and prevented meetings being held there, thus depriving the people of the right they had exercised for many years, and in every town in the kingdom freedom of debate was prohibited, lest it might be offensive to the Roman Catholic priests; and the Lord Mayor, acting under the same influence, had refused the use of the Guildhall for a meeting. On one occasion he was fortunate enough to bring the Secretary for Ireland on his legs in answer to a question as to the Prince of Wales being burned in effigy in Ireland, under the direct encouragement of the priests; and the right hon. Gentleman treated the matter as if it was not of the slightest consequence, and said that he had himself been burned in effigy on one occasion. He ventured then to tell the right hon. Gentleman, and he now repeated, that these indications of the tendency to political and social disorders which had ravaged and continued to ravage Ireland were but the natural result of those doctrines which the hon. Member for North Warwickshire (Mr. Spooner) had year after year been endeavouring to force upon the attention of the House as the doctrines taught at Maynooth. From the day when the canon law was introduced into this country in 1851 (when the country was roused and then went to sleep again on the assurance of the Government that the matter should be taken care of)—from that time agents had been engaged collecting evidence showing that the Ribbon Societies in Ireland were the source of the agrarian disturbances in that country, and that they were essentially the organized courts of the Roman Catholic priesthood, to give effect to the canon law. The hon. Member for North Warwickshire, when he brought forward his Motions on this subject, always asked the House to withdraw the grant. He (Mr. Whalley) did not, on this occasion, ask the House to come to any conclusion that the teaching at Maynooth was disloyal, or that it was the source of those troubles in England or in Ireland. He merely called attention to these circumstances, as he might also do to the recent Reports of Sir George Grey from New Zealand, that wherever he went he found that the Roman Catholic priests were at the bottom of the rebellion of the Maories; or to the reports which he received every week from Canada and Newfoundland to the same effect. He did not ask for any decision of that kind at the present time. All he now asked was that the exceptional nature of this grant, which by an Act of Parliament was removed from the control of that House, should no longer continue. On a former occasion he showed that the practical effect of taking the grant out of the control of the House was that the teaching at Maynooth, which was formerly Gallican, had become Jesuitical. He was desirous, after the Motion of last year, to enable himself to bring before the House the practical working of this system, as shown in the conduct of those priests of Rome who had matriculated at Maynooth; and he moved for a Return of the priests who had been educated at Maynooth, and where they were ministering. Of course, his object in making that Motion was obvious, because it was well known that Maynooth was no longer the college for Ireland, but for every part of the British Empire. The House acceded to that Motion; but would it be credited, that on an order emanating from Maynooth, Her Majesty's Government came down to the House and rescinded the order, and thus he was unable to trace these priests to various parts of the world. This grant was withdrawn from the control of the House in order to prevent the expression of the strong religious feeling which was expressed in the Petitions he had presented, and in order to prevent the grant being the subject of discussion. This was an additional wrong to the people of this country, and an outrage to the Constitution. The grant ought to be placed under the annual control of Parliament, so that the College of Maynooth might have an opportunity of defending itself; and if it could be shown that the books used there did not contain the principles which he had read in them, none would be more benefited than the Irish Members, and none more gratified than himself. There were circumstances which might justify a grant being made permanent, but in that case there should be a general concurrence of opinion on the subject. But there was no such concurrence with respect to the Maynooth grant, and it was for the express purpose of putting down discussion that the grant was made permanent. Last Session they had the fact admitted by the Chief Secretary for Ireland that the grant was an experiment, and that it had proved a failure; and it was acknowledged by the Chancellor of the Exchequer that it was a thorn in the side of this country. In the year 1829, when the Catholic Emancipation Act was passed, it was thought necessary to protect this country against the incursions of the Jesuits by expressly providing that no Jesuits should be allowed in this country. But it was a fact that Maynooth was become, to all intents and purposes, a Jesuit College; that nunneries had increased from 50 to 200; that chapels had been increased by some hundreds, and that the Jesuits received a considerable portion of the money which was intended to go to the support of the Church of England. When they found that the Government did not put in force the Act of 1829, that nothing was done to enforce the Ecclesiastical Titles Bill, he thought if ever there was a case when the House might, without acceding to the statements of a person who, like himself, might be considered over-zealous, take the matter into its own hands, this was the case. That was the object of his Motion. Whether the House might be disposed at a future time, the statements he had made being fully substantiated, to withdraw the grant, was entirely another question; but he respectfully submitted that on the statement of the Secretary for Ireland the experiment of continuing the Maynooth grant by Act of Parliament had failed, and in the fact that Maynooth had thereby been converted into a Jesuit college he had shown sufficient reason for the Motion he had brought forward. [*The Speech of the* *hon. Gentleman had been listened to with great impatience, and when he sat down, there were loud cries for a division.*]

MR. SOMES seconded the Motion.

Motion made, and Question proposed,

"That this House will immediately resolve itself into a Committee to consider the Act 8 & 9 *Vict.*, for the Endowment of the College of Maynooth, with a view to the repeal of the same, due regard being had to vested rights and interests."

MR. BLACK rose to address the House, but the cries of "Divide!" "Divide!" rendered his speech almost inaudible. The hon. Member was understood to say that he had given notice of an Amendment to the Motion of the hon. Member for Peterborough. He did not, however, propose to bring it forward upon the present occasion. He would, at some future time, bring it forward as a substantive Motion. Seeing that the Roman Catholics of Ireland received only 1¼*d.* per head of State aid, while the Presbyterians received 1*s.* 7*d.*, and the members of the Established Church nearly £1, he thought it would be most unjust to withdraw this 1¼*d.* from the Roman Catholics by repealing the Act for endowing Maynooth.

SIR ROBERT PEEL, who also rose amid loud cries for a division, said, the House is impatient for a division, and I will not detain it except for a very few minutes. The hon. Gentleman who made this Motion has paid a just compliment to my hon. Friend opposite the Member for North Warwickshire (Mr. Spooner), for the pertinacity with which he has argued this subject, and which left him an easy task to perform. Certainly, in performing that task, the hon. Gentleman went into a number of matters not connected with his Motion, for he not only alluded to the riots at Birkenhead and Hyde Park, but to the refusal of the Lord Mayor to lend the Guildhall for a public meeting. He said that this is the only grant which is removed from the observation of Parliament, and he wishes to repeal the Act of 1845. This, however, is not the only money-grant for educational purposes which is thrown upon the Consolidated Fund, because there is paid out of the Consolidated Fund a grant of £22,000 a year for the Established Church of Scotland, which never comes in the annual Votes of Parliament. ["Divide, divide!"] I will be very short. The hon. Gentleman has alluded to some remarks made by the Chancellor of the Exchequer and myself respecting the failure of this institution. Whether it is a failure or not I am not in a position to judge, but I think it would be very unfair to withdraw a grant that was made for the spiritual care of a great number of our fellow-countrymen. The hon. Member said, repeating a remark that he made last year, that the Ribbon societies in Ireland were representatives of the Canon Law of Rome. What he means by that observation I know not, but nothing can be more absurd than such an expression.

MR. WHALLEY: I rise to order. ["Order!"]

SIR ROBERT PEEL: The hon. Gentleman will have an opportunity of answering me next year.

MR. WHALLEY: Sir, I rise to order. I submit that the right hon. Gentleman is out of order in misrepresenting a speaker's words.

MR. SPEAKER: The hon. Gentleman will have an opportunity of reply.

MR. WHALLEY: I did not use the words imputed to me.

SIR ROBERT PEEL: I wrote them down, and I do not think I misrepresented him. The hon. Gentleman says that the Roman Catholic priests are intolerant. Whether they are intolerant I know not—I do not believe they are. But as members of the Established Church of England and Ireland, and with another Established Church in Scotland, and contributing, as we do, to the maintenance of other sects, like the Presbyterians in the North of Ireland, I think it would be intolerant in us if we should endeavour to preclude our Roman Catholic fellow-countrymen from the opportunities of religious instruction and spiritual knowledge which they derive from the efficient maintenance of the establishment of Maynooth. I speak the views of the Government when I say that we must oppose the Motion of the hon. Gentleman the Member for Peterborough. ["Divide, divide!"]

MR. NEWDEGATE said, he was sorry to see a renewal of the attempts which had been made on previous occasions to stifle all discussion of this subject, which attempts were similar to those made recently throughout the country to stifle discussions on subjects analogous to that now before the House. He thought it was disrespectful to the people of this country to vote away their money in silence, enforced by a system of opposition to free discussion. The hon. Member for Edinburgh, and the right hon. Baronet the Chief Secretary for Ireland, had spoken of the grants to the different religious denominations as if they regarded Roman Catholicism, the Established Church, and Presbyterianism, as only so many forms of superstition, one more absurd than another. This was not a rational way of looking at the question. To take the lowest view, a desire for religion was a positive appetite of the human mind; and it was incumbent on the Government to take care that the doctrines it assisted to disseminate were not such as were inimical to the true interests of mankind. He wished for a moment to call the attention of the House to the position in which this country stood among the nations of the earth. It was perfectly obvious that Maynooth had become what it was predicted early in the century by Lord Chancellor Redesdale it would become—a monastic institution. If they turned to Roman Catholic countries, they would find that the people and Government of Spain, France, and Italy had found it necessary to reduce and suppress such institutions; surely, then, it was very absurd that this Protestant country should pay for maintaining and extending them. It was only right that the House should be made acquainted with the views taken by persons of extreme Ultramontane opinions with regard to the effect of this grant upon the Roman Catholic population in Ireland. At a dinner at Liverpool the other day, at which a person who claimed to be the Roman Catholic bishop of the district presided, the health of the Pope was given before that of Her Majesty, and then the Rev. Mr. Wilberforce delivered an address, in which he said—

> "After a period of 300 years they had seen that the Anglican religion had failed to spread itself in the extended empire which had been given to the English. It was as a sickly exotic, fortified, as it had been, by grants from the British Parliament, taken from the money raised from Catholics as well as Protestants. The Catholic religion, on the contrary, had taken deep root, and was overshadowing the land until it had become, not the sole religion, but the prevalent religion, and was dominant in Australia, the United States, and Canada. As other religions were dying out, the Catholic religion was spreading and taking root. All this was owing first of all to the providence of God, but the great instrument had been the Irish nation."

Speaking of the progress which Catholicism had made in that town (Liverpool), he said—

> "That fifty or sixty years ago some of their congregations numbered only thirty or forty persons, but the question was whether there were not 150,000 Catholics in Liverpool at the present time. The Catholic religion had risen to its present state not by the help of any political party or any particular public man. Public men had flattered them alike, not from any love to their religion, but because they saw the Catholics were getting strong enough to be useful to them, and so they 'sought their help.'"

That was a very significant declaration from a highly-educated and influential gentleman, the editor of *The Weekly Register*. It amounted to this, that Rome considered the Irish people as the great agents for the extension of her dominion, while the Parliament of England were asked to furnish the means for educating the Catholic priesthood in the Ultramontane doctrines of the Church of Rome, that they might become the directors of this agency. When the grant was first made, the Church of Rome was in a very different position. At that time the Pope had suppressed the Jesuits, and Rome had receded from the principles of aggression into which she had been driven by the Jesuits at the commencement of the seventeenth century: the Roman Catholic Church was endeavouring to become, in the Catholic countries of the world, a local and national Church. When Mr. Pitt saw the Roman Catholic hierarchy and priesthood endeavouring to nationalize themselves, and found them threatened by the revolutionists, he stepped forward to aid the efforts of the Irish Roman Catholics to furnish themselves with a priesthood educated in their own country and animated by all those national feelings which were likely to spring from an establishment instituted under such circumstances. But the circumstances now were totally changed. The Jesuits had been re-organized, and at this moment it was notorious that the Court of Rome was under the influence of the Jesuit party. There was ample evidence that the action of that party was scarcely religious, so essentially political had it become. Its organization was opposed to free institutions, and sought the establishment of despotism; in corroboration of this we had recently seen in the United States the Roman Catholic Archbishop Hughes preaching a war of extermination against the Southern States, and treating Ireland as though it was his legitimate recruiting ground. There was now no plea of poverty upon which to justify the grant to Maynooth. Only the year before last Cardinal Wiseman congratulated the Roman Catholics of England upon the evidences of the wealth of their Church and upon the extension of their religious and monastic establishments. Legate Cullen had written in the same sense with respect to Ireland; therefore the people of this country were only reasonable when they asked that Parliament should resume its control of the expenditure for Maynooth, in order that the public money might not be made accessory to purposes which were opposed to the national character and laws, and were dangerous to the institutions of the country.

MR. WHALLEY, in reply, complained that the right hon. Baronet the Chief Secretary for Ireland had put words into his mouth which were mere nonsense. What he had really said was, that the Ribbon and other secret societies, which changed their names as the chameleon changed its skin, could not be better described than as agencies whereby the Roman Catholic priests carried into effect the canon law of Rome. The only object he had in view was to bring the grant within the control of the House of Commons, whatever might be the amount they chose to devote to the purpose.

Question put.

The House *divided*:—Ayes 100; Noes 198; Majority 98.

AYES.

Adderley, rt. hon. C. B.
Arbuthnott, hon. Gen.
Ayrton, A. S.
Aytoun, R. S.
Baines, E.
Beach, W. W. B.
Bentinck, G. W. P.
Benyon, R.
Beresford, rt. hon. W.
Blackburn, P.
Bouverie, rt. hon. E. P.
Bramley-Moore, J.
Bridges, Sir B. W.
Butler, C. S.
Cairns, Sir H. M'C.
Cave, S.
Close, M. C.
Cole, hon. H.
Cole, hon. J. L.
Collier, R. P.
Coningham, W.
Craufurd, E. H. J.
Crossley, Sir F.
Davie, Sir H. R. F.
Doulton, F.
Du Cane, C.
Duke, Sir J.
Dundas, F.
Edwards, Colonel
Egerton, Sir P. G.
Egerton, E. C.
Ellice, E. (St. Ands.)
Ewart, W.
Ewing, H. E. Crum-
Fellowes, E.
Filmer, Sir E.
Finlay, A. S.
Galway, Viscount
Gard, R. S.
Getty, S. G.
Gore, J. R. O.
Griffith, C. D.
Hadfield, G.
Hamilton, Major
Hill, hon. R. C.
Holmesdale, Viscount
Hopwood, J. T.
Horsfall, T. B.
Hotham, Lord
Jolliffe, H. H.
Kennard, R. W.
Ker, D. S.
Kinnaird, hon. A. F.
Knox, hon. Major S.
Langton, W. G.
Langton, W. H. G.
Lawson, W.
Lefroy, A.
Long, R. P.
Lowther, hon. Colonel
Mackie, J.
Malins, R.
Matheson, A.
Matheson, Sir J.
Miller, W.
Mills, A.

Mr. Newdegate

Montgomery, Sir G.
Morris, D.
Mowbray, rt. hon. J. R.
Mundy, W.
Mure, D.
Newdegate, C. N.
Noel, hon. G. J.
North, Colonel
O'Neill, E.
Pakenham, Colonel
Parker, Major W.
Peto, Sir S. M.
Pevensey, Viscount
Pigott, Serjeant
Scott, Sir W.
Shelley, Sir J. V.
Smith, Abel
Smith, S. G.
Spooner, R.
Stanhope, J. B.
Setwart, Sir M. R. S.
Stuart, Lieut. Col. W.
Tite, W.
Torrens, R.
Turner, C.
Vance, J.
Vansittart, W.
Verner, Sir W.
Walcott, Admiral
Walker, J. R.
Watlington, J. W. P.
White, J.
Williams, W.
Yorke, hon. E. T.

TELLERS.

Mr. Whalley
Mr. Somes

NOES.

Acton, Sir J. D.
Adair, H. E.
Addington, hon. W. W.
Angerstein, W.
Antrobus, A.
Atherton, Sir W.
Bagwell, J.
Bailey, C.
Baring, H. B.
Baring, rt. hn. Sir F. T.
Bass, M. T.
Bazley, T.
Beaumont, S. A.
Beecroft, G. S.
Bellew, R. M.
Berkeley, hon. C. P. F.
Black, A.
Blencowe, J. G.
Bond, J. W. M'G.
Botfield, B.
Bouverie, hon. P. P.
Briscoe, J. I.
Browne, Lord J. T.
Bruce, H. A.
Buchanan, W.
Buller, Sir A. W.
Butt, I.
Buxton, C.
Cardwell, rt. hon. E.
Cavendish, Lord G.
Cecil, Lord R.
Chapman, J.
Clay, J.
Clifford, C. C.
Clifford, Colonel
Clifton, Sir R. J.
Cobden, R.
Cochrane, A. D. R. W. B.
Cogan, W. H. F.
Colebrooke, Sir T. E.
Collins, T.
Corbally, M. E.
Cowper, rt. hon. W. F.
Cox, W.
Crawford, R. W.
Cubitt, W.
Davey, R.
Davie, Colonel F.
Dawson, R. P.
Dent, J. D.
Dering, Sir E. C.
Dickson, Colonel
Dillwyn, L. L.
Disraeli, rt. hon. B.
Douglas, Sir C.
Duff. R. W.
Dundas, rt. hon. Sir D.
Egerton, hon. W.
Enfield, Viscount
Ennis, J.
Esmonde, J.
Evans, T. W.
Ewart, J. C.
Fenwick, H.
Foley, H. W.
Foljambe, F. J. S.
Forster, C.
Forster, W. E.
Fortescue, hon. F. D.
Fortescue, C. S.
French, Colonel
Gibson, rt. hon. T. M.
Gladstone, rt. hon. W.
Glyn, G. C.
Glyn, G. G.
Gower, G. W. G. L.
Greaves, E.
Greene, J.
Greenwood, J.
Gregory, W. H.
Gregson, S.
Grenfell, C. P.
Greville, Colonel F.
Grey, rt. hon. Sir G.
Grosvenor, Earl
Grosvenor, Lord R.
Gurdon, B.
Hankey, T.
Hartopp, E. B.
Hassard, M.
Headlam, rt. hon. T. E.
Henley, rt. hon. J. W.
Hennessy, J. P.
Herbert, rt. hon. H. A.
Hervey, Lord A.
Hesketh, Sir T. G.
Hibbert, J. T.
Hodgson, K. D.
Hodgson, R.
Holford, R. S.
Holland, E.
Horsman, rt. hon. E.
Howard, Lord E.
Howes, E.

Hutt, rt. hon. W.
Jackson, W.
Jervoise, Sir J. C.
Kekewich, S. T.
Kinglake, A. W.
Kinglake, J. A.
Kingscote, Colonel
Leader, N. P.
Leatham, E. A.
Lennox, Lord G. G.
Lever, J. O.
Liddell, hon. H. G.
Longfield, R.
Lowe, rt. hon. R.
MacEvoy, E.
Mackinnon, W. A. (Rye)
M'Mahon, P.
Maguire, J. F.
Manners, rt. hn. Lord J.
Marshall, W.
Martin, P. W.
Martin, J.
Massey, W. N.
Mitford, W. T.
Moncreiff, rt. hon. J.
Monsell, rt. hon. W.
Morrison, W.
North, F.
O'Conor Don, The
O'Donoghue, The
O'Ferrall, rt. hn. R. M.
Ogilvy, Sir J.
O'Hagan, rt. hon. T.
O'Reilly, M. W.
Padmore, R.
Paget, C.
Paget, Lord A.
Pakington, rt. hon. Sir J.
Palmer, Sir R.
Patten, Colonel W.
Pease, H.
Peel, rt. hon. Sir R.
Peel, rt. hon. F.
Pender, J.
Potter, E.
Price, R. G.
Pryse, E. L.
Pritchard, J.
Puller, C. W. G.
Ramsden, Sir J. W.
Redmond, J. E.
Ricardo, O.
Robertson, H.
Russell, H.
Russell, A.
St. Aubyn, J.
Salomons, Mr. Ald.
Scholefield, W.
Scourfield, J. H.
Scully, V.
Seely, C.
Selwyn, C. J.
Seymer, H. K.
Shafto, R. D.
Sheridan, H. B.
Smith, J. A.
Somerville, rt. hon. Sir W. M.
Stacpoole, W.
Staniland, M.
Stanley, Lord
Steel, J.
Stirling, W.
Sullivan, M.
Sykes, Colonel W. H.
Talbot, C. R. M.
Thornhill, W. P.
Trelawny, Sir J. S.
Vane, Lord H.
Verney, Sir H.
Vernon, H. F.
Villiers, rt. hon. C. P.
Vivian, H. H.
Waldron, L.
Walpole, rt. hon. S. H.
Watkins, Colonel L.
Way, A. E.
Western, S.
Westhead, J. P. Brown-
White, L.
Wickham, H. W.
Winnington, Sir T. E.
Wood, rt. hon. Sir C.
Wrightson, W. B.
Wyvill, M.

TELLERS.

Mr. Brand
Mr. Knatchbull-Hugessen

SEA FISHERIES.

COMMISSION MOVED FOR.

MR. FENWICK rose to move,

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission of inquiry into our Sea Fisheries, with the view of increasing the supply of a favourite and nutritious article of food for the benefit of the public."

There could be no doubt, he said, of the importance of our sea fisheries, which furnished a large supply of food for all classes of the people. No complete statistics could be obtained of the quantity of fish annually consumed in this country, but it must be enormous. Some idea of the extent, however, might be formed from the Returns he had procured from some of our principal railway companies, of the quantities of fish conveyed over their lines into London during the year 1862. Those Returns were as follows:—London and Brighton, 5,174 tons; Great Western, 2,885 tons; North British, 8,303 tons; Great Northern, 11,930 tons; North Eastern, 27,896 tons; South Eastern, 3,218 tons; Great Eastern, 29,680 tons. He had, in addition to this, a Return furnished by Mr. Heron, the town clerk of Manchester, showing that the average weekly sale of fish in the markets of that city in 1862 was 380 tons weight, or 19,760 tons for the whole year. The quantities of different kinds of fish sold in London within the year were these:—Upwards of 500,000 of codfish were disposed of at Billingsgate, 25,000,000 of mackerel, upwards of 100,000,000 of soles, 35,000,000 of plaice, 200,000,000 of fresh herrings, while the number of sprats could hardly be estimated. Coming to shellfish, there were 40,000 lobsters consumed daily in England; of oysters upwards of 500,000,000 a year were sold in Billingsgate; while 50,000,000 of mussels, 70,000,000 of cockles, and 300,000,000 of periwinkles were eaten in the year by the poorer portion of the London community. Upwards of £10,000,000 sterling of capital was embarked in this branch of industry, and 240,000 brave and hardy men earnt their livelihood by it. With such an enormous consumption of fish as he had stated, it might be supposed there was no occasion for the Motion he was about to make; but the fact was quite otherwise. He had been in communication with every fishing port in the country, and the almost universal cry was that our fisheries were falling off year by year, and that unless something were done, very serious consequences would ensue. It might be asked what was the cause of this diminution. It was the same cause as that which destroyed our salmon fisheries—namely, the neglect, perhaps the ignorance, of Nature's own laws. Unfortunately, much connected with the habits of sea fish was beyond our ken, but we knew that its natural abode was in deep water, and that it approached the shallows near the shore for the purpose of spawning. When the spawn was deposited, it took some time before it vivified; and when the fry was produced, it remained for a certain period about the place of its birth, until it became more mature. Another fact which he believed to be true, although it was not universally recognised, was, that for the spawn to be raked up and carried into deep water, or taken into the nets or boats, was destruction to the embryo fish. Any mode of fishing, therefore, which had the effect of raking up the spawn, or otherwise destroying it, by taking it into the boats, or carrying it into deep water, must be prejudicial to our fisheries. The question then arose, how was this to be prevented? Now, two destructive modes of fishing were now in use—namely, the system of trawling, and the seine system. Part of the apparatus employed in trawl fishing scraped up the mud at the bottom of the shore in a manner somewhat analogous to the action of a shrimp net. Thus the trawl net, when improperly used—that was, when taken over the shallow breeding ground, raked up the spawn to an enormous extent, prevented it ever afterwards from vivifying, and necessarily destroyed a great amount of fish life. In addition to that, the fry which hovered about the breeding place was raked up by the same process, and part of it carried into deep water and part taken into the boats, causing a great destruction of the young fish. One afternoon, only a few months ago, he was astonished to see exposed for sale, in a northern city, two cart-loads of codfish, the largest of which was not bigger than his hand; and he appealed to the House whether that did not show a wanton waste of God's gifts to man? But besides this, the fish were frequently so much bruised by the trawl net as to be considerably deteriorated in quality. The trawl net was worked in this way:—It was attached to the stern of a boat of about forty tons burden, and allowed to drift with the tide at the rate of from four to seven miles an hour, and it sometimes ran for seventy or eighty miles before it was taken up. It passed over a great deal of hard ground, with a great quantity of spawn, and small as well as large fish; and the large fish, which would otherwise be in good condition for the market, were bruised, had their scales torn off, their gall bladders burst, and were otherwise injured—one-third being rendered entirely unfit for use. It was easy to tell by the bruises on the fish, and other marks on them when offered for sale, that they had been taken by trawl. The system of fishing with the seine net was attended with very much the same results. The seine was either attached to the boat or the shore. It was a long net, which was drawn out to sea, made to encircle a large space, and then dragged in to the shore, scraping the bottom of the ground as it was brought to the land. Here, again, they had the same effect produced as he had already described; for the shallow water being the breeding ground, the spawn was disturbed. If the House would allow him, he would adduce some testimony in support of the views he had indicated. The first witness was Mr. J. Couch, a gentleman of very great information, and one of the first naturalists in the country. The witness lived in a fishing district, and had paid great attention, for a number of years, to the subject of trawling. He stated that—

> "Since the practice of trawling has been introduced into this locality [Cornwall] it is the expressed belief of the fishermen that the produce of the fisheries has greatly fallen off. The destruction of the spawn, spawning ground, and food of young fish is well known; but precise evidence of this could scarcely be obtained, as all this mess is swept overboard at sea; and as many, perhaps most, of the proprietors of trawl vessels live on shore, being sailors, sail-makers, and fish merchants, the actual fishermen may be afraid to acknowledge the truth of the case through fear of being dismissed from employment. It is well known that fish caught with a trawl are much inferior in value to such as have been taken with a line, as might be supposed, when we consider that they have been dragged along the bottom of the sea for several miles amid a mass of rubbish. Their fins thus become torn and their bodies bruised, so as to become putrid long before such as are caught in any other way. I have seen sur mullets caught in a trawl, that, for a time, I could hardly tell what sort of fish they were. It is my opinion that much of the injury inflicted may be obviated by only limiting the time when the trawl may be employed—that time being when the more valuable kinds of fish are engaged in spawning, and at other times they should not come within a given distance of land. I have heard it remarked, by those who are well acquainted with the subject, that the practice of trawling is as adverse to its own prosperity as to the fishing by hook and line, since for one fish carried to market many hundreds are destroyed; so that trawling itself must end at last by its own acts. But this is poor consolation to the public, who, now that the railroad could convey them rapidly and cheaply, might be supplied abundantly, if fish were as abundant as formerly they were."

Mr. J. G. Williamson, of Billingsgate, one of the largest fish-salesmen in London, wrote—

> "I believe that the destruction of small fish and spawn by the trawl is one of the causes of the scarcity of fish as regards our own coasts, the

trawl retaining so much of the smaller fish as it does. . . I am sure that if any one understanding fisheries were to see the small soles and other small fish sold in Billingsgate Market, and which is often disposed of for less than its cost for carriage, he would soon come to the conclusion that something ought to be done. I believe, if the wholesale destruction of small fish that now takes place is continued, that in the course of a few years the fisheries on our coast will suffer very materially."

An extensive wholesale firm of Billingsgate reported that—

> "The fish caught by trawling is not either so good in quality or condition as that caught by hook or floating nets."

The Rev. J. Wilcox, of Fowey, in Cornwall, states that—

> "The destruction caused by the trawl is most terrible to contemplate. The trawl sweeps everything before it. The destruction of spawn is immense."

He now came to the evidence of a man who was himself the captain of a trawler. He stated that —

> "When the trawl is pulled up, such fish as haddocks are found to be completely scaled. They are obliged to be gutted at once, otherwise, owing to the bursting of the gall bladder, they would become quite black or green, and be utterly unsaleable. Dividing a haul of the trawl into three parts, one part would be fit for food; another would be quite small and immature fish; while the third would be utterly useless. He had sometimes thrown overboard as many as 7,000 or 8,000 fish at once. As to spawn, on one occasion while he had three tons of spawn, as he estimated by the weight of the trawl, in his net, he had only besides some crabs, and a dozen flat fish. He considered that a single trawl destroyed hundreds of tons of spawn yearly."

Another man, who for the last thirteen years had regularly worked in a North Sea trawler, gave him the following evidence:—

> "The test used to ascertain the best fishing ground is the existence of spawn on the ground. The lead is heaved overboard. If it comes up covered with spawn, then the trawl is at once heaved over, and good fishing is expected. When the trawl is hauled on board, the pockets would be full of soles, and a few haddocks—perhaps a turbot or two. Spawn will hang around the ground rope, stick outside the net, and drop out of it as it is pulled up from the sea and the water drains out. The bag, or cod end, will contain all sorts of fish—shells, spawn, sea anemones, occasionally the dead body of a man, portions of bodies, some dead stinking fish, which have been killed by other trawl nets previously passing over the ground. Fish, such as haddocks, gurnets, &c., with their backs injured, their fins gone, their eyes out — plaice with their spots rubbed off. The larger the take, the more damaged the fish. He has sometimes thrown overboard as many as seven or eight baskets of fish after one haul—five or six hundred fish in a basket—some alive, some dead, some dying. At other times there have been so many small and worthless fish that the bulwarks have had to be unshipped, and they have been swept overboard with brooms. Trawlers always got turbots, soles, haddocks, and in the summer time plaice."

One person stated that—

> "The fishing grounds in the North Sea were gradually becoming poorer. That the produce of the silver pits, near the Dogger Bank, one of the most prolific grounds in the English waters, did not produce one-third of the quantity they once did. Some grounds were altogether exhausted by the trawlers."

Again, Mr. Dawson Campbell, of Folkestone, wrote—

> "When trawling near shore in spawning time, quantities of spawn are brought up by the trawl, and also large numbers of small fish, and these remain in the boats till the net is cleaned, when, of course, the greater part of them are dead. All fish, except flat fish, are very much disfigured by the meshes of the trawl; in fact, during the whiting season, those caught by the trawl do not fetch nearly the price that whiting caught by the hook and line do. As regards the number of trawlers generally at work, it is impossible to obtain accurate information."

From all parts of England he had reports as to the decreasing quantity of fish that were now caught; and that state of things he believed was attributable to the use of the trawl. He did not ask the House to pass any Resolution against trawling, which he believed might be conducted under such regulations as would prevent any real injury to the fishing—by being confined, for instance, to deep waters, and kept off the spawning grounds; but as now practised it inflicted very great injury. Parliament had already passed laws for the purpose of regulating trawling; but those laws had become obsolete. No action could be taken upon them except by the Attorney General. A Commission had been issued, a short time ago, to inquire into the operation of the Acts relating to trawling for herring on the coast of Scotland. The Report was one of very great ability, and was signed by Sir Lyon Playfair, Professor Huxley, and Mr. Charles Francis Maxwell. That Report distinctly recommended that no interference should be made with trawl herring fishing on the coast of Scotland. But the trawl-net used in fishing for herrings was not the trawl to which he referred. This was stated to be so by the Commissioners themselves. The Commissioners proceeded to consider the effect of beam trawling upon white fish, and they went on to say that cod, ling, and other white fish were great enemies of the herring, and inferred that the more those enemies were destroyed the more herrings there would be. But the herring, although a most valuable fish, was not the only kind of fish to be considered, as there were others equally deserving of being regarded as valuable for human food. Another Report had been made by the Inspectors of Salmon Fisheries in England and Wales, to the concluding paragraph of which he would invite the attention of the House—

> "There is one other subject to which we think it is our duty very shortly to refer, although the notice of it is not imposed upon us by the 32nd section of the Act. On very many parts of the coast our attention has been called to the decreasing value of the sea fisheries. Complaints have been made to us that the inshore banks, which a few years since supplied food and employment for the population of the neighbouring country, are now fished out, and there is some danger that the deep-sea banks will also fail, unless such regulations are sanctioned by the Legislature as will prevent excessive and wasteful fishing. In some respects the habits of sea fish and of salmon are the same. The parent fish of both resort to shallower water than they usually frequent, for the purpose of spawning, and the fry generally are gregarious, and in the fresh or tidal water, as the case may be, they frequent the shallows and the shores. The stages in the life of both, then, in which they are most exposed to capture are those when they are of least value as food and of most value for reproduction; and the injury that is done to the sea fishing by the destructive capture of the fish in these stages, especially that of the fry, we believe to be very great. At Topsham, near Exeter, we heard 'that hundreds of waggon loads of small fish, soles, cod, whiting, turbot, are taken in the year, and bushels and bushels are thrown away with the weed from the nets to die.' At Seaton, on the Devonshire coast, we saw the mackerel nets this year draw to shore thousands of the fry of all sorts of sea fish. The large proportion of these fry were so small that they were left on the beach. In our report on the Bristol Channel we have referred to the puts and to the hose nets. Similar evidence of their destructive influence upon the fry of sea fish has been repeatedly given us, and by the hose nets Bridgwater Bay fisheries are said to be nearly destroyed. On the Lancashire and other portions of the coast the fry are also much killed. On the North-east coast loud complaint has been lately made that the trawlers are destroying the fisheries by working too near the shore. The oyster fisheries are also suffering, and the demand is increasing as the supply diminishes. At Milford Haven this has been so much felt that the common fishermen have requested official interference. Sea fish of most kinds are wonderfully reproductive; but, on the other hand, the loss to which all the breeds are naturally exposed, is undoubtedly very great. The sea is teeming with life; but that life in one form is supported by life in another; and we may accept the large power of reproduction that nature has given to sea fish as a proof of the heavy drain that is constantly made upon them without any artificial aids from man."

He believed these words embodied much good sense. A few years back he had made a similar Motion to the present, in respect to the salmon fishery. The House then assented to the Address which he proposed,

and a Royal Commission was appointed, which prosecuted its inquiries in all parts of the kingdom, and presented a most valuable Report. Upon the recommendations of that Report, an Act was passed, which, although it had been only two years in force, had proved so successful that he was constantly receiving letters of congratulation and thanks for the humble part which he had taken in the matter. He was assured that that Act had actually resuscitated the salmon fisheries, and that many rivers, where before no salmon could be found, were now becoming well stocked. He might mention that on Saturday last four salmon were taken in the Thames at the Nore, in the stage between smolts and grilse, one weighing about a pound, which proved that even in respect of the Thames, with all its disadvantages, the Act had answered its purpose. Upon the former occasion he had been met with something like a taunt that he was taking measures to protect the salmon, the rich man's food, but did not take any care of the humbler fish which formed the food of the poorer classes. He did so now, and therefore he hoped the House would agree to his Motion.

Mr. CAVE seconded the Motion. He had himself placed a notice on the paper of a Motion for a Committee on this subject; but the hon. Member for Sunderland having been first in the field he willingly gave way to him, besides which, on consideration, he thought that a Commission was better suited than a Committee for the purposes of the inquiry. The hon. Member had gone so fully into the general question that he should say but little upon it. His own opinion was that the Convention of 1839 between France and England, and the two Acts of Parliament by which its provisions were carried out—namely, the 6 & 7 *Vict.*, c. 79, and the 18 & 19 *Vict.*, c. 101, erred in attempting too much. The exclusion of fishermen of each country from the territorial limits of the other was a wise measure; but the minute regulations as to fence months and size of nets, which could be but imperfectly enforced in the deep sea, and could only be enforced by municipal authority within the three-mile limit, were more vexatious than useful, especially as they could not be imposed upon the fishermen of other nations. Such regulations were necessary, and he agreed with the hon. Member that they ought to be far more strictly enforced. But they should be enforced, not in the deep sea, where fish do not breed, and where the fry are seldom found but on our own shores, on the inshore banks and shallow waters; and if there were any doubt upon this point, the observations of the Inspectors of salmon fisheries in their second report, alluded to by his hon. Friend, would entirely remove it. There was no point in the Convention more open to remark than that which regulated oyster fishing. Oysters were of various species, but for convenience they might be classed in two divisions—large and small, or deep and shallow water oysters. The latter, from being more under the influence of the sun, spawned earlier than the former, and the fence months had been fixed in reference to those alone, so that no fishing was allowed after April. Such regulations were, no doubt, valuable to prevent the fish being disturbed during spawning; not that the small oysters would be sold as food during the spawning season, for they were not fit to be eaten. The small oysters, generally called 'natives,' were not seen in London markets from May to September, yet they came from private and river beds to which the fence months did not apply. Still he advocated no relaxation as regarded these. But the law pressed most injuriously on the deep-sea oyster fisheries. The beds from which they were taken, and which had been discovered since the date of the Convention, lay in mid channel, more than twenty miles from land, thirty fathoms deep; and the fish there spawned two months later than the smaller oysters. Yet fishing was rigorously forbidden during May and June, when the oysters were in highest perfection and weather most favourable. Any vessel found with oysters and dredges on board, only a few hours after the 30th of April was liable to seizure by French or English authorities, and the owners might be subjected to fine, confiscation, and even imprisonment. But fishing on these beds was not prevented by this law. The French and English could only bind each other; every other nation might fish these deep-sea banks during the fence months, and in fact the Dutch were in the habit of doing so. In reality, the disability only affected the English, as the French did not like fishing so far from home, nor did they appreciate the large coarse oysters found on these banks. What would be thought of the sense of two men who bound each other with a penalty not to walk in Regent Street? But how much more absurd such a compact would seem if one would nominally pass through it to his ordinary avocations, while the other never went near it. Yet this was just the case as between the English and French. The result of the law was that the deep-sea beds were dredged in winter and spring during boisterous weather at great risk of loss of boats and tackle, and even loss of life; that the fish were brought to the private beds in the river Adur, at Shoreham, at Newhaven, Bosham, Havant, and other places on the coast to which the fence months did not apply, where there was frequently great mortality among them from frost, fresh water floods, and other causes, and where they deteriorated and became less wholesome when taken out for summer consumption than if brought direct from the deep-sea beds. This was not a small question. The large coarse oyster was the luxury of the working classes of this country; and while the price of the small delicate oyster, best known to hon. Members, was 44*s*. a bushel, that of the deep-sea oysters was only 8*s*., and would be cheaper were it not for these artificial disabilities. During summer these oysters might be seen on stalls in almost every street; they were found in the great manufacturing towns of the midland and northern counties and at every fair and race-course in the kingdom. In Shoreham alone some 150 vessels of from eighteen to twenty-five tons, with four to six hardy seamen, were employed in the trade, besides about 100 men carting on shore, and the carriage by the Brighton railway between Shoreham and London amounted to between £6,000 and £7,000 a year. There would be no difficulty in restricting the oyster dredgers to that part of the sea which would prevent any chance of their interfering with the shallow-water beds. He hoped this Commission would be appointed, and that one of its first fruits might be the removal of this disability, which he regarded as a disgrace to our statute-book.

MR. CLAY said, there was no doubt a deal of jealousy between the line and the trawl fishermen, and the statements on both sides should be received with caution. Perhaps a Royal Commission might be of some service in determining whether the trawlers or line fishers were right in their statements; for the trawl fishermen not only denied that they injured the fishing grounds, but they asserted that, in fact, they improved them. Certainly, the difference between them was most astounding; but he could not see that it would serve any other useful purpose. The question was—

is it worth while to go to the expense and trouble of a Commision for that purpose? There was no real reason to believe that any sensible harm was being done, or that there was any real decrease in the fisheries. The fact was, that within the last few years the supply of fish had enormously increased, and the price of fish had not increased in a greater degree than the price of other articles of food. Mr. Mahew, in his book on London said that more than 1,500,000 lb. of soles and more than 28,000,000 lb. of plaice were sold from the barrows by the hawkers about the streets of London. The number of boats employed in trawling had not fallen off, which was a pretty fair proof that there had been no diminution in the amount of fish to be found in the seas. He would remind the House that the French fishermen had a right to fish within three miles of our coast, and they could not be controlled by any rules which this House might adopt; so that even if the object of his hon. Friend were attained, trawling would not be put a stop to—it would simply be handed over to the foreigner. He had no objection to an inquiry, and he was sure the trawlers were not the least afraid of any inquiry which could be made.

Mr. BENTINCK said, it appeared to him that his hon. Friend (Mr. Fenwick) had fallen into an error in reference to trawling. He (Mr. Bentinck) had been in the habit of trawling for forty years, and he had never seen a trawl of the description given by his hon. Friend. He talked of a trawl which had attached to it a chain which went tearing along the ground at four miles an hour; but he (Mr. Bentinck) had never seen a trawl with a chain attached to it, and no trawl ever went over the ground at the rate of four miles an hour, unless, indeed, it were some peculiar kind of trawl used on one particular part of the coast and unknown elsewhere. The very object of the trawler was not to disturb the ground more than he could help. His hon. Friend said, that there was great diminution in the quantity of fish taken at particular places; but that might be accounted for by the enormous increase in the number of fishing boats. At the Dogger Bank, for instance, a hundred men were employed now, where twelve were employed formerly. His hon. Friend, however, said that at Dover and Brixham, the fishing was as good as ever, and there was no place where there was more trawling than at Brixham. If the House should put a stop to trawling, they would stop the supply of fish, for nothing like the present supply could be obtained by line fishing. He did not say that inquiry would do much harm, though he certainly thought that it would not do much good; but he asked the House to be cautious in dealing with an industry that employed so many hands, and supplied the people with such an abundant and valuable article of food as fish.

Mr. COLLIER wished to say a word in favour of the trawlers, who had been subjected to a rather unmerited attack. It was an ancient industry, and employed a great number of people. He had frequently inspected the fishmarket at Plymouth, and he could assure the House that the fish there showed no appearance of the mangling and mutilation of which his hon. Friend spoke. He had never heard of any complaint against trawling either in Devon or Cornwall, and on the coasts of those counties a large proportion of the inhabitants obtained their living by that occupation. His hon. Friend had spoken of the disappearance of fish from particular localities; but the capricious disposition of the fish accounted for their appearance and disappearance off certain coasts. It was well known that they often changed their grounds. Pilchards used to be found off the north coast of Cornwall, but they no longer appeared there. They could not have been destroyed, and it could hardly be supposed that they were so annoyed with the trawl nets as to leave in disgust. He thought the real object of the Motion was to favour the line fishermen at the expense of the net fishermen, and he hoped the Government would not accede to the appointment of an expensive Commission.

Mr. LIDDELL said, he thought no reply had been given to the arguments of his hon. Friend who had introduced the Motion, and the House should bear in mind that what was asked was not that there should be any interference with the trawl fishing or any other description of fishing, but that they should inquire whether it was practicable to apply to the preservation of sea fisheries similar legislation to that which had been so successful in reference to the inland fisheries. Whether fish were or were not in the habit of changing their ground capriciously, no natural law was better ascertained than this, that they came to the shallow water to spawn; and it was in these shallow waters that the trawl nets did so much mischief. It was not desired that the trawl net should be put down, but simply that there should be an inquiry; and the reports which the hon. Member (Mr. Fenwick) had received from all parts, except from Brixham and Dover, showed that the fisheries were falling off, which clearly proved that inquiry was necessary. At Brixham and Dover, moreover, it was deep-sea fishing that was carried on, and not trawling, which was practised only in shallow water. Considering the destructive modes employed in these fisheries, he thought there was fair ground for a Commission of Inquiry.

MR. MILNER GIBSON said, his hon. Friend the Member for Sunderland (Mr. Fenwick) had introduced the Motion under discussion in a speech of great interest, and had no doubt laid before the House with great correctness the different reports which he had received from different parts of the country in reference to the alleged decrease in the supply of fish. But he must at the same time observe that he thought the terms of the Motion itself were extremely wide, and that a Commission such as that which he proposed—to inquire generally into the sea-fisheries of the United Kingdom—would take a long time to complete its inquiry, while it would also be attended with considerable expense. If the Commission were likely to prove valuable, no doubt the expense ought not to stand in the way of its appointment; but a Commission of inquiry—especially one without any definite object—a large searching fishing inquiry—would not, he thought, be found a very practical mode of dealing with the subject. The Commission which was appointed last year or the year before on the subject of Scotch fisheries had for its object to make a definite inquiry. There had been great quarrelling and even bloodshed in regard to the mode of catching herrings, and it was absolutely necessary to investigate the particular point in order to find out what alterations were required in the law in reference to those localities. The inquiry was soon completed, and some of the information furnished to the Commission was very valuable. Reference having been made to the French treaty, he would take that opportunity of reminding hon. Members how we stood in reference to sea fishing. We had bound ourselves by various international obligations with respect to the fisheries in the Channel and on the coasts of the United Kingdom, but the principal clauses of the treaty were applicable to the channel between England and France. Well, at the present moment we were on the point of negotiating a joint inquiry by Commissioners of France and England into the working of the laws now in force under that treaty. Those laws related to many of the questions to which his hon. Friend had referred. For instance, the size of the meshes of the nets, the fence months, the proper months for taking oysters, and many other regulations relating to the preservation and breeding of fish, were contained in the treaty and in the Act of Parliament for giving effect to that treaty, which they were about to investigate by the appointment of a joint Commission. That being the position of affairs, he did not think it would be an advisable course to start an independent Commission of this roving character, that had to inquire into oyster, herring, mackerel, and pilchard fishing, trawl fishing, and deep-line fishing in the North Sea. All these branches of industry employed large numbers of persons, most of whom would, no doubt, feel some little alarm at this inquiry. The Commission proposed with reference to the French treaty would have a very definite object, and be attended with a most useful and practical result; and therefore, without denying that a scientific inquiry might be useful, he must oppose the Motion for this independent Commission. It was upon that ground mainly that he rested his opposition; though if he were asked to agree to the appointment of a Commission to inquire into a particular industry, say trawling with a beam net, he would say that he could hardly conceive any kind of restriction which it would be advisable to put upon it. He thought it would be very difficult indeed to restrict or interfere with the industry of that class of persons who carried on their pursuits in the deep sea, far from any coast—in fact, where they were practically beyond the reach of police regulations; and if they were to make an inquiry special into this method of fishing, it would create alarm, perhaps unnecessarily, among a body of men forming some of the most praiseworthy and hardy of British sailors. He hoped, in conclusion, that his hon. Friend would rest satisfied with having raised a discussion of much interest, and would adopt the course which he had suggested.

COLONEL DICKSON said, he denied that the inquiry proposed was too wide, or that it would necessarily occupy a great deal of time and involve considerable expenditure. He thought that the hon. Member for Sunderland (Mr. Fenwick) had been unfairly treated and misrepresented by several of the speakers, in the imputation that he desired to interfere specially with trawl nets. That was not at all his intention. He would support the Motion; but he had risen chiefly with the purpose of expressing a hope that the inquiry, if the Government should sanction the appointment of a Commission, should be extended to Ireland. His hon. Friend the Member for Wexford (Mr. McMahon) had a notice on the paper for that evening with respect to the distress. He was sorry that it was postponed, for one of the most important elements in the consideration and solution of that question was the supply of fish on the coast of that country. He did not see why we should be silent on this subject until the new arrangements were made under the French treaty, for the principal object of the inquiry was as to the fisheries within the three miles which formed the boundaries against foreign vessels. He looked upon this question of the deep-sea fisheries as one of great importance as regarded Ireland. The fisheries on the coasts of that country were a mine of wealth totally neglected, and an inquiry would lead to their development, conduce to the best interests of the country, and yield an immense supply of food to the poor. And this inquiry, he contended, might be conducted, considering all the appliances at the command of the Government, with comparatively trifling expense.

Mr. HODGSON said, he should support the Motion if it were pressed to a division. In his locality the supplies of fish had diminished. It was quite true, that owing to railways and the electric telegraph, the London market and the markets of the manufacturing districts were better supplied now than they had been formerly; and, that being the case, it was said by some Gentlemen we ought not to interfere in the matter. But in the case of the salmon fisheries, though Parliament had delayed too long, nevertheless the measures which it ultimately adopted had resulted in a great increase of the take of salmon. In Boston there was a considerable diminution in the take of mussels about four years ago; but owing to measures adopted by the corporation the mussel fishery there had been brought up again, and it now produced a remuneration of about £60 a week to the fishermen.

Mr. M'MAHON did not see that because we were about to enter into new arrangements with the French Government we ought not in the first instance have an independent inquiry with regard to British interests. Those who understood the question of fisheries had stated that in our arrangements with France, and with the Belgians and the Netherlands, we had given away substantial advantages which we ought not to have given, and had got nothing in return. With regard, for instance, to foreign vessels fishing within three miles of our shores, it was not a settled point before the Convention Act that they had a right to come so near. This inquiry was essential and desirable with regard to Ireland. There were more fish upon the coast of Ireland than would amply feed and employ the entire population, and yet under the existing system they were obliged to import £100,000 worth of herrings every year from Scotland and £30,000 or £40,000 worth of other fish. In some places, where trawling had been prohibited on the coast of Ireland, it had been found necessary to remove the prohibition. The restrictions on fishermen were so numerous and oppressive in Ireland that it seemed to be the object of the Government to keep all the fish from being caught rather than to develop the fisheries.

Motion made, and Question put,

> "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission of inquiry into our Sea Fisheries, with a view of increasing the supply of a favourite and nutritious article of food for the benefit of the public."

The House *divided*:—Ayes 50; Noes 27: Majority 23.

CHARITABLE PROPERTY (IRELAND).

RESOLUIO N.

Mr. HASSARD rose to call the attention of the House to the state of the Laws relating to Charitable Donations and Bequests in Ireland, and to move—

> "That, in the opinion of this House, the Laws relating to Charitable Property in Ireland ought to be assimilated to those in force in England as far as circumstances will permit."

The hon. and learned Gentleman was proceeding to address the House, when—

Notice taken that Forty Members were not present; House counted, and Forty Members not being present,

House adjourned at a quarter
after Eight o'clock.

HOUSE OF COMMONS,

Wednesday, June 3, 1863.

MINUTES.]—ELECTION COMMITTEE—Lisburn Election (*List of the Committee*).

SELECT COMMITTEE—on Expiring Laws *nominated** (*See* May 29, p. 148).

SUPPLY—*Resolutions* (June 1) *reported* *—CIVIL SERVICE ESTIMATES.

WAYS AND MEANS—*considered* in Committee.

PUBLIC BILLS—*First Reading*—Regimental Debts* [Bill 149]; Stipendiary Magistrates* [Bill 150].

Second Reading—Public-houses [Bill 67], *negatived*; Sheep and Cattle (Scotland)* [Bill 115]; Fisheries (Ireland) [Bill 137].

Committee—Metropolis Turnpike Roads Acts Amendment* [Bill 131], (*on re-committal*)—R.P.

Third Reading—Vice Admiralty Courts (*Lords*)* [Bill 129], and *passed*.

LISBURN ELECTION.

The names of the five Members appointed to try and determine the matter of the Petition [*reported* June 2] complaining of an undue Election and Return for the Borough of Lisburn, were called over, as follow:—Viscount CURZON, Viscount ENFIELD, WILLIAM EDWARD FORSTER, Esq., GEORGE SCLATER-BOOTH, Esq., THOMAS WILLIAM EVANS, Esq., Chairman; and being come to the Table, they were sworn by the Clerk.

Ordered, That the Petition relative to the said Election be referred to the Committee.

Ordered, That the Committee do meet To-morrow, in one of the Committee Rooms of the House, at half past Eleven of the clock.

PUBLIC-HOUSES BILL—[BILL 67.]

SECOND READING.

Order for Second Reading read.

MR. SOMES, in rising to move the second reading of the Bill, said, it was without the least affectation that he said he most earnestly wished that the charge of the measure had fallen into other hands more competent to do it justice; but he felt fully satisfied that the House would not refuse its kind forbearance while he endeavoured to place before it as briefly as he could some of the reasons which had induced him to undertake the duty of asking the assent of the House to this stage of the measure. But, in the first place, he desired to enter his protest against the charge of being actuated by a blind and bigoted zeal for the observance of the Sabbath; and he desired further to protest against the assertion that he was influenced in any degree by a desire to trench upon the liberties and enjoyments of the working classes. To no Member of that House did he yield in a hearty desire to maintain the true interests of the working classes. His reason for introducing the Bill was a thorough conviction that to have public-houses open as they now were, for eight hours on a Sunday, was neither necessary nor justifiable. He believed further, that to have public-houses open on the Sunday was a temptation and a snare, more especially to the working classes, for during Sundays they had their time and their wages both at their complete disposal, and it too frequently happened that public-houses robbed their families of both. From a Return recently made by Captain Palin, the Chief Constable of Manchester, it appeared that the total number of apprehensions for drunkenness made in his district within one year was 3,373, and of those no less than 1,824 were cases which occurred between ten o'clock on Saturday night and ten o'clock on Monday morning, while on the other days the numbers did not exceed 1,549; so that, in point of fact, the Sunday cases were more than the apprehensions in all the other days of the week. Mr. Broughton, formerly the magistrate at the Southwark Police Court, in a letter written by him in 1855, said that on Mondays the cases of drunkenness brought before him were more numerous than on any other day—that, in fact, there appeared to be more drunkenness in London on Sundays than in all the other capitals of Europe, and that it was sad to find the number of drunken women, and he pointed out that where the woman drank the family went to ruin. A Select Committee of the House of Commons had placed on record that drunkenness was the main cause of crime, and that Sunday was the high day of English drunkenness. It was because he believed that such a state of things was not conducive to the happiness and welfare of any class that he introduced this measure. Judge Coleridge had stated, that scarcely a crime came before him as a Judge that was not directly or indirectly traceable to strong drink. A like opinion was expressed by Judge Gurney. Mr. Justice Patteson, addressing a grand jury, said, "If it were not for drink, you and I would have nothing to do." Mr. Hill, the Recorder of Birmingham, said the enormous consumption of intoxicating liquors was a source of crime more fearful than all others put together. The chaplain of the House of Correction at Preston had expressed an opinion that nine-tenths of English crime, requiring to be dealt with by the law arose from drink. The Earl of Shaftesbury attributed nine-tenths of the pauperism of the country to the same cause, and said that most of the difficulties of the working classes were due to their own improvidence and to their pernicious habits of intoxication. Dr. Chalmers said that public-houses were the abundant sources of disease ; and Dr. Gordon said that drink was the cause of 75 per cent of the cases treated in the hospitals. In asking the House to consent to the second reading of the Bill, he was only asking for an extension of the operation of a principle already laid down—the principle that the welfare of the community demanded special legislation for the restriction of the sale of intoxicating drinks; the sale of those articles was, in consequence, already confined to certain houses and within certain hours on week days. But there had been on Sundays a special relaxation of the law in favour of one trade. While the Sunday trading in articles of necessity was prevented, an article which produced crime and immorality was allowed for eight hours on Sundays. Therefore, in asking that public-houses should be closed on Sundays, except to *bonâ fide* travellers and lodgers, he was only asking that the sale of intoxicating drink should not form an exception to the operation of the law regulating the trade on Sundays of goods generally. They were told, that if the House consented to the second reading of the Bill, it would be against the wishes of the great majority of the people of this country, and more especially against the wishes of the working classes. He denied that this was the case. In asking the House to assent to the Bill, he felt assured that he was simply seeking to give effect to the wishes of the great majority of the people of this country, especially to those of the working classes. That such was the case was to a great extent proved by the fact, that during the present Session, up to the 2nd of June, there had been presented substantially in favour of the Bill 4,101 Petitions, with 693,255 signatures. Having stated this, it was only fair to add that against the Bill there had been presented 180 Petitions, with 148,577 signatures. The Petitions presented that day in favour of the Bill were signed by probably 100,000 persons ; and consequently considerably over half a million of people had petitioned in favour of the Bill, the mass of signatures proceeding from the working classes, and many from the wives and daughters of mechanics and labourers. This, he insisted, was an ample reply to the allegation that the working classes were hostile to the measure. He would, with the permission of the House, give one or two remarkable instances of the desire which seemed to pervade all classes that the Bill should pass. He held in his hand a letter which had been writen to him on the 23rd of May, from Selby, in which the writer said—

"Dear Sir,—The following is the result of a canvass made of the town of Selby, which shows that a great majority of the householders are in favour of closing public-houses on the Sunday, and a great proportion of such householders are of the working class, for whose benefit it is wrongly supposed such houses are kept open :—Householders canvassed, 824 ; approving, 770 ; disapproving, 34 ; neutral, 20 ; publicans approving, 14 ; disapproving, 8 ; neutral, 3. I thought the above might be of service to you when you move the second reading of the Sunday Public-house Closing Bill.

"I am, Sir, your most obedient servant,
"ROBERT MORRELL."

He had also another letter which showed pretty clearly the opinions which working men, and even some drunkards, entertained on the subject—

"Altrincham, Cheshire, May 29.

"Sir,—In the temporary absence of my incumbent, I have had intrusted to my care three Petitions in favour of your Bill for closing beer-houses on the Sunday. The first Petition is from our Working Men's Bible Class, and is signed by thirty-seven members of the class. The second Petition is from the working men in general of this neighbourhood, and has 414 signatures. The third Petition is from the clergy, churchwardens, and congregation of St. George's Church, Altrincham, with fifty-four signatures, including forty-one men and thirteen women. To this last Petition alone have I asked for signatures personally. I wished to know the unbiassed opinion of the working men ; it is found to be twenty to one in favour of your measure ; the greatest drunkards are most anxious to have the snare removed. I hope that I need not make any apology for begging that you would do us the favour of presenting to the House of Commons the said three Petitions, which I forward by this post, and have marked with my initials, 'T. W. P.,' to be the more readily distinguished from the many others which will doubtless be committed to your care. I do not think of troubling you to acknowledge this, as I shall see in the papers a pledge of its safe arrival in the presentation of the Petitions.

"Believe me, your humble and obedient servant,
"THOMAS W. POWELL,
"Curate of St. George's, Altrincham."

In a letter which he received from Mr. Macdonald, of Mile End, the writer said—

"42, Tredegar Square, May 30.

"Dear Sir,—Public meetings, numerously at tended, and chiefly by the working classes, have lately been held for the purpose of discussing the Sunday Closing movement in Stepney, Shadwell, and Ratcliff, all of which unanimously expressed approval of your Bill; and at each of these a Petition in favour of that measure was signed on behalf of the meeting by the chairman. On Thursday evening the deputation delivered to Mr. Ayrton thirty-one Petitions from this locality, containing 4,151 signatures, chiefly by working men, in favour of the Bill. The number of Sunday school teachers in this part who have petitioned in favour of the Bill is 692; and eleven surrounding congregations have done so. Exclusive of those from the public meetings above-mentioned, the number of Petitions from this district alone already presented to the Commons in favour of the Sunday Closing Bill is forty-five, and the number of signatures thereto is 6,880. 'London is the difficulty,' Members say. I feel warranted in stating, that in so far as at least the east end of London is concerned, public opinion there is misapprehended by the metropolitan representatives, and greatly misrepresented by the metropolitan press.

"I am yours most obediently,

"J. Macdonald."

The Sunday Closing League, he might add, had instituted a canvass of the parish of St. Pancras, and the result was found to be that out of 51,657 registered opinions, 25,751 were favourable to the Bill, 18,289 opposed to it, and 7,617 neutral, thus leaving a majority in its favour of 7,462. He might also mention that in the borough which he had the honour to represent (Hull) a canvass had been made from house to house, and the result had been that about twelve to one were found to be in favour of the measure in that portion of the town in which the working classes chiefly resided. But it was not only the working classes, but publicans themselves, who had, in many instances, petitioned in its favour. It might, however, be said, that notwithstanding these facts, and no matter how desirable the Bill might be, it would not work; and doubtless the repeal of the Act of 1854, known as the Wilson Patten Act, had given rise to that suspicion. But what was the fact? The Act was in force for the period of ten months only. He held in his hand the report of the evidence of between eighty and ninety magistrates and superintendents of police in the various cities and towns throughout the country, which showed how beneficially the Act operated while in existence. He would not, however, trouble the House by reading the list of the names of those magistrates and superintendents of police, which was a long one. [Mr. H. Berkeley: Let us have the names of the police magistrates.] It would take him a longer time than he wished to occupy the attention of the House to pick out the names of the magistrates, which were mixed up with those of the other gentlemen to whom he alluded; but he would, with the permission of hon. Members, read an extract which Mr. A'Beckett had written to *The Times* newspaper on the point to which he was adverting. It was as follows:—

"Police Court, Southwark, Jan. 8, 1855.

"Sir,—In your article on the regulation of the sale of fermented liquors you say that the partial closing of public-houses on Sunday is a measure which, though 'right in principle,' must be 'approved or not, according as the inconvenience it inflicts fall short of or exceed those it is intended to prevent.' This is the reasonable view of the subject, and it therefore becomes important to ascertain the effect of the new Beer Bill. Previous to its coming into operation the business at this court was not only considerably greater on Monday than on any other day in the week, but it consisted chiefly of cases of drunkenness, and of assaults, more or less violent, that had been committed under its influence. From the day when the Act came into effect I have kept an account of the number of charges of Sunday drunkenness which have been brought before me on every Monday on which I have sat here, and I furnish you with the result:—Monday, August 14, one case of Sunday drunkenness; Monday, August 21, not one; Monday, August 28, one; Monday, September 4, one; Monday, September 18, two; Monday, September 25, three; Monday, October 9, one; Monday, October 16, one; Monday, October 23, four; Monday, October 30, one; Monday, November 6, not one; Monday, November 13, three; Monday, November 20, five; Monday, November 27, four; Monday, December 4, two; Monday, December 11, one; Monday, December 18, four; Monday, January 1, 1855, one; Monday, January 8, two; making in all 37 cases in 19 days—a fraction less than two on an average for each Sunday. It has been alleged, on high judicial authority, that nine-tenths of the crime of the country is caused by drunkenness; and inquiry would, I think, show that a vast proportion of the poverty of the country has the same origin. Juvenile delinquency, which forms the source of a constant supply of adult criminals, may in many cases be traced to the neglect of drunken parents; and, indeed, there is little doubt that the best means for the diminution of crime, poverty, and perhaps also disease, are comprised in the prohibition of drunkenness. I do not enter into the question of the propriety of restricting the enjoyments of the moderate in order to check the excesses and the crimes of the intemperate. This is a matter to be decided by the opinion of the public; and it is right that every one who is in a position to contribute facts for the formation of that opinion should endeavour to put them forward. Such is the view with which I have addressed you.

"G. A. A'Beckett, Police Magistrate."

The effect of the Act in London immediately after it had come into operation would be seen by the following extracts from some of the metropolitan newspapers:—

"Southwark Police Court, Monday, August 14, 1854.—This court had a very unusual appearance—such as had not been known before on a Monday within the memory of the oldest officer, owing chiefly to the new Public-house Law, which came into effect on Sunday. The usual average number of drunken charges taken into custody on Sunday amounted heretofore to between thirty and forty persons, and generally occupied the attention of the magistrate the chief part of Monday morning. Yesterday, however, there was only one drunken person charged, and only two trifling assaults. The latter were committed on Saturday night and the drunkard was found on Sunday morning."

"Bow Street, September 1, 1854.—Although there has been no material diminution in the aggregate amount of drunkenness in the Bow Street district during the few past weeks, the operation of the new Act relating to the public-houses has had a marked effect upon the business of the court on Mondays. Hitherto the proceedings of Monday have been almost exclusively confined to drunken charges; frequently as many as seventy cases have been heard in succession, and generally about two-thirds of the offenders have been women; while more than half the entire number have been taken to the police-stations after ten o'clock on Sunday night. On the first Monday subsequent to the passing of the Act, however, only one drunken charge was received in the district after ten o'clock. On the following Monday there was not a single case received, and the prison-vans left Bow Street, for the first time within the experience of the magistrate, without conveying a prisoner of any kind from the court. On Monday last, again, there was only one case of drunkenness which had been received after ten o'clock the night previous."

"Marlborough Street Police Court.—On Monday morning a very striking exemplification of the effects of the new Beer Bill was presented by the night charges. The number of cases on Monday, which includes Saturday night and Sunday night offences, had varied, before the new Act came into operation, from sixty to about a hundred. On Monday, the Act having come into operation the previous day, the whole number of cases, drunken cases included, was only twenty-five, and not a single drunken case was brought to the station-house from twelve o'clock on Saturday night up to Monday morning inclusive; thirty being the average previously. On inquiry among the publicans how far the Act affected their takings, the police were informed that in many districts it made no difference at all, and in others *5s.* would cover the loss."

It might, however, be asked why, if the Act worked so well, it had been repealed? The fact was, that subsequent to the passing of the Wilson Patten Act a Bill had been introduced into that House by Lord Ebury, then Lord Robert Grosvenor, for the suppression of Sunday trading in general. The Bill had nothing to do with public-houses, they being exempted from its scope. But the passage of the Bill through the House had given rise to certain disturbances of the public peace on the part of costermongers and other interested persons, of which advantage was taken to make it appear that they proceeded from the Wilson Patten Act which had been passed in the previous Session. The consequence was, that a Parliamentary inquiry had been instituted, which it had always been contended was partial and inconclusive; and he was informed that the Committee who conducted that inquiry had excluded evidence which would have established the facts to which he had already called attention. The result was, however, that near the end of the Session on the recommendation of the Committee the Standing Orders were suspended, and a Bill hurried through Parliament by which the opening of public-houses on Sundays was at present regulated, and Mr. Wilson Patten's Act was repealed. To show that the Bill which he proposed was likely to be a practical measure, he need only say that the existing law in Scotland had been in operation for a period of nine years, and that it had been declared by a Royal Commission to have worked well. He had in his hand a letter from a Glasgow gentleman, whose evidence was entitled to weight, confirming that opinion. The gentleman to whom he referred said—

"Kelvinhaugh Dockyard,
Glasgow, May 13.

"Sir,—In answer to your inquiry as to the result of my experience as an employer of labour regarding the general effect of the Forbes Mackenzie Act, I have much pleasure in stating that in my opinion its tendency has been most beneficial. My firm employs upwards of 1,000 workmen, and the attendance on Monday mornings is much more regular than was formerly the case; indeed, the attendance on Monday mornings is almost as regular as on other days; and previous to the Act referred to coming into operation a very different state of matters existed. The public-houses being shut at six o'clock in the morning when the men are proceeding to work removes a temptation from their way which was often attended by the most injurious consequences; they would step in merely to take a glass, and the consequence not unfrequently was that they spent the whole day, or even several days in intemperance. Shipbuilding is at present in a very prosperous condition on the Clyde, wages are high, and a very large number of workmen of various descriptions are employed, yet intemperance has perceptibly decreased among the working classes; and the working of the Act has on the whole, I consider, been very advantageous.—I am, my dear Sir, yours faithfully, "AL. STEPHEN, Jun."

But the question of the expediency of closing public-houses on Sundays was not confined to Scotland. They had for many years been closed on the Sabbath in the City and State of New York, and also, he was informed, in Tasmania. He held in his hand, he might add, a printed paper which showed the view that was taken by the Roman Catholic Archbishop of Cashel on the subject, which he should like to read to the House. It was as follows:—

> "In Ireland, the Roman Catholic Archbishop of Cashel has for some time been successful in persuading all the publicans of certain towns and districts in Ireland to sign and keep an agreement to close public-houses on the Lord's Day. Speaking of the effects thus produced, in a published letter, in which the Archbishop supports Mr. Somes's Bill, he says:—'Instead of the drunken brawls, the riots, and the blasphemies—instead of day-long carousals and the night-long orgies which in time past desecrated the Lord's Day, disgraced our towns, and filled the Bridewells with Sunday drunkards—instead of these things, we have, thanks to God for the change, quiet streets and closed shops, full churches, and empty gaols; so that if you now pass through our streets on Sunday you cannot but feel it is indeed the Lord's Day, there reigns such peace around on every side. Behold some of the results of our Sunday temperance law. That such results do follow from it every one within the borders of these dioceses can bear witness, for, not only are they palpable to all, but all without exception, the Protestant equally with the Catholic, congratulate themselves upon the happy change.'"

He thought he had now said sufficient to prove the necessity which existed for the Bill, and that it could be worked if passed into a law. Not a few threats had been used against him on this question; so convinced, however, was he himself of the necessity and of the blessings which would result to the country from its operation, that however much he valued a seat in that House, he would willingly purchase the change which he proposed for the benefit of the working classes by the loss of that seat, or indeed at almost any personal cost to himself. He had, in conclusion, simply to express a hope that the House would listen to the voice of the country, and would express its approval of the course which he had deemed it to be his duty to take by reading the Bill a second time. He begged to move that the Bill be now read the second time.

MR. PEASE begged to second the Motion. In doing so he desired to observe that he was not personally connected with any association which had for its object the suppression of the sale of intoxicating liquors; but being largely connected with the working classes he felt that the passing of this measure would be for their welfare. He would appeal, in support of the measure, to the great number of Petitions, amounting to over 4,000, which had been presented in its favour, and which he had good authority for saying constituted such an influx of Petitions as had never been known to be presented in reference to any Bill in so short a space of time. It was, he added, a very remarkable feature of these Petitions that a very large number of them emanated from Sunday school teachers, and he need scarcely say that they constituted a most persevering, self-sacrificing, and useful portion of the community. They were, too, intimately associated with the poorer classes, they had to deal with them in detail, and had abundant opportunities of seeing how much degradation and misery were the consequence of drunken habits. They saw how impossible it was to elevate the children of humble parents in the moral and social scale while those parents themselves—the wife, with a child at her breast, perhaps, in but too many instances following the example of the husband—were constant frequenters of the public-house, where they squandered the earnings which might keep the whole family in comfort. He was happy, indeed, to find that large numbers of working men, as well as their wives, had presented scores and scores of Petitions praying the House to guard their fellow workmen from evils which they themselves had in many instances experienced, and that they had even associated themselves in several cases, without fee or reward, in order to obtain such statistics as it was thought the House would require as a basis for legislative action. They did so, because they were but too well aware of the existence of a state of degradation as the result of drinking habits of which hon. Members could have no adequate idea. Everybody knew how much better, when temperate, the working man served his employer and attended to the education of his children, while each hon. Member could form for himself some notion of how far the indulgence of an unhappy tendency to drink prevented him from paying any regard to religion. Having referred to the feeling of the country on the subject, as borne out by the number of Petitions which had been laid on the table, he might observe, that while it would always be his pride and pleasure quietly to assert the public and private rights of the people at large—which had been alleged against this measure—he thought it was a somewhat doubtful question whether those did not seek to carry too far the exercise of those rights who would allow them to interfere with the rights of others. Whether we looked at our police, our gaols, or our pauperism, we found we had to pay rates and taxes exceeding, perhaps, the whole of the income tax, attributable—at all events nine-tenths of it—to the drinking customs of the country; and he thought it became one of the duties of the Legislature to consider whether they could not suppress a practice which sapped the foundation of industry, tended to the demoralization of the community, and occasioned a very considerable portion of the public expenditure for the purposes he had named. He trusted the House would affirm the principle of this Bill by assenting to the second reading. The difficulties of legislation in the case—for he freely admitted there were difficulties — could be dealt with in Committee, and then the House would find itself in a position to pass a useful and patriotic measure.

Motion made, and Question proposed, "That the Bill be now read a second time."

CAPTAIN JERVIS, in rising to move that the Bill be read a second time that day three months, said, the hon. Member who had introduced the measure had failed to point out any sufficient cause for the alteration of the existing law which he proposed. Let hon. Members look at the preamble of this Bill, and then at the preamble of the Act it proposed to repeal, and say whether anything had happened in the country to justify it. Had drunkenness so increased that the Legislature must pass a penal Act to suppress it? On the contrary, was it not, he would ask, the fact that the great mass of the people had been going on improving for the last few years, and that drunkenness had so decreased as at present to be hardly known? The hon. Member had appealed, in support of his case, to the large number of Petitions which had been presented in favour of his Bill; but it was evident they were the result of a most careful organization. They had been kept in reserve up to the last moment, and then, all on a sudden, the House was overwhelmed with them; from school-teachers, women, and little children. Was it, he would ask, because of such Petitions that the able-bodied free-men of England were to be tied down as the hon. Gentleman seemed to desire? It was not the office of the Legislature to protect a few drunkards against themselves, but to consider what was most just for the whole community. It was said, that a proposal similar to that under discussion worked well in Scotland, but he was not aware that it had been made under the same conditions. When the Forbes Mackenzie Act was introduced, the people of Scotland were proved to have been in a state of general demoralization. It had been stated that there were as many as 30,000 drunkards in Glasgow on Saturday night, who remained drunk until Monday morning. No such state of things was to be found in England. But what had, in fact, been the result of the Forbes Mackenzie Act in Scotland? There was no decrease in the amount of spirits consumed in Scotland since the Forbes Mackenzie Act, and there was no decrease in the amount of crime. In the ten years between 1851 and 1861 the population of that country had increased by about 173,000, and the consumption of spirits had increased in the same proportion. ["No, no!"] Why, in 1851-2 the consumption of spirits was 7,172,000 gallons; in 1859-60 the quantity of spirits charged for home consumption in Scotland was 7,429,859 gallons; so that the increase of consumption kept pace with the increase of population. As to crime, the total number of persons committed or bailed in all Scotland was, in 1852, 3,018; in 1858, 3,782; and in 1860, 3,287. At the same time, it would be wrong to say that the Scotch people had not kept pace with the rest of the country since the Forbes Mackenzie Act; but their improvement in morals was due to education, and the example of those above them, the same as in other parts of these islands. He could not leave the subject of the Petitions without alluding to the manner in which they had been got up. Some of them were forgeries. Some of them had been got up by a society for promoting the interests of the trading community, and he found among the objects of that society, for which the members subscribed 5*s*. each, not only the prevention of Sunday trading, but a reduction of the income tax, and no examination of weights and measures. The hon. Gentleman had stated that the repeal of the Wilson Patten Act was opposed by many of the police magistrates of the metropolis. It would be remembered, that in consequence of the scenes which took place upon that Act, a Committee was appointed to inquire into it, and the consequence was that that Act was repealed. The several Police Magistrates were examined before that Committee, and the great majority of them gave it as their opinion that drunkenness had not decreased by reason of that measure. Mr.

Hall, who sat at Bow Street, in his evidence said, that the effect of the Act had been to reduce the number of charges of drunkenness on Monday, but to increase the number on Tuesdays and Wednesdays, so that the weekly average was the same. Mr. Corrie, who sat at Clerkenwell, dealing with the difficulty of deciding who were travellers, said in his evidence, that in his opinion passengers by excursion trains were travellers. The same question must arise on this Bill, because Parliament could not exclude persons going to Hampton Court or Greenwich from all refreshment; and if *bonâ fide* travellers were to be allowed to get drink, persons wishing to get drunk would be able to do so at Gravesend or Greenwich, at Brighton, at Lowestoft, at Southend, at Yarmouth, or indeed at any place to which excursion trains ran. Mr. Arnold, who sat at Westminster, was of opinion that the shutting up public-houses throughout Sunday would lead to the opening of illicit houses, and he said that he believed that during the Wilson Patten Act illicit drinking was carried on to a great extent at coffee-shops and other places of resort. Mr. Long, who sat at Marylebone, said in his evidence that he thought it desirable that public-houses should be kept open as late as eleven or twelve o'clock on Sunday evenings, because the excursion trains came in so late, and passengers by them required refreshment. Almost every police magistrate in the metropolis was of opinion that the law which only allowed public-houses to be open from one to half past two, and from six till ten in the evening of Sunday was too stringent, and the people had done nothing since to require the law to be made more stringent than was then found to be necessary. The returns of the superintendents of police, in answer to inquiries made of them, were to the same effect, although coming from places perfectly distinct both in their situation and the character of their population. The superintendents of Bolton, Deal, Gloucester, Northallerton, and South Shields were of opinion that the Act of 1854 had done very little, if any, good; that intoxication had not diminished, that crime had not been lessened, and that where there were indications of less drunkenness it was attributable to the high price of provisions; while in private houses more intemperance was exhibited than before the enactment. He believed, that if this Bill were passed, illicit houses would multiply, and the people of this country would do like the people of Scotland did after the passing of the Forbes Makenzie Act—namely, establish drinking clubs—or hush-shops, as they were called—the admission to which would depend on the man being sworn into the fraternity, and getting two members to vouch that he would not split. In the army, where drunkenness was a crime punished severely, it was found that the more open they made the houses, and the more supervision and superintendence they could obtain, the better it was for the men. Wherever a commanding officer had attempted to close the canteen and prevent men getting a fair amount of good liquor during the day, it was found that the men were supplied secretly, and often by night, with abominable mixtures, containing all kinds of deleterious ingredients. The hon. Member for Hull (Mr. Somes) had referred to Lord Robert Grosvenor's Sunday Trading Bill. In that Bill the public-houses were not touched; but the reason was that Parliament dare not do it. When it was asked why people did not petition against this Bill, he would give the reply which he received from a working man on putting to him the same question —"We rely on the good sense of the House of Commons not to pass the Bill; but if they do pass it, then we'll show what we think of it." Although many excellent and good people—some among his own constituents—sincerely wished to see this measure become law, he trusted that Members of Parliament would remember that they represented the whole country, and that the general feeling of the country would support them in rejecting it.

Mr. KER SEYMER, in rising to second the Amendment, said, that he must express his regret that the hon. Member for Hull should have felt it his duty to raise this question; but, at the same time, he desired to protest against the terms which the organs of the public-house interest applied to the hon. Member and those who acted with him. He did not believe them to be mawworms and canting hypocrites. He believed them to be gentlemen actuated by the best intentions, but, at the same time, inviting Parliament to enter upon a mischievous course of legislation. It was impossible to separate this question entirely from the great general question of the observance of the Lord's day, which at present seemed to be a compromise between two extreme parties, and in which state, he thought, they had better leave them. On the one side, there were those who wished to have museums, libraries, and lecture-rooms open on the Lords's day. They thought that by so doing they would improve the moral character of the people. He gave those who desired to open public institutions credit for being actuated by the best motives, but he entirely differed from them. He held the old-fashioned opinion that a cordial belief in the doctrines of revealed religion and a practice of its precepts were the only means of effecting the moral regeneration of society, and therefore he opposed the opening of museums. He did not believe that the moral character of a people was to be elevated by admiring statues and pictures, the works of great artists, by examining cases containing fossil shells, or by inspecting specimens of extinct animals. Athens was an illustration. The Athenian citizens had nothing to do but to admire the finest sculptures and the noblest specimens of architecture ever produced ; yet the less that was said about their morals the better. The extreme view, on the other side, was held by those who were equally conscientious, and who wished to stop omnibuses, steamboats, and trains altogether, and to close public-houses on Sundays. All this question of opening public-houses depended upon whether or not they would allow excursion trains on Sundays ; for if they allowed the train, they must allow refreshment for those who travelled by it. It was impossible, although they might not intend it, to legislate upon this subject without being open to the charge of class legislation. They might not intend it, but the circumstances were such that they could not help it. Take the case of an artisan. He left the centre of the city and walked through miles of monotonous streets to see a green field or a green lane, sometimes carrying a child in his arms. On his return home he would naturally feel thirsty, and were they to say him, "You shall not have a glass of beer." That man knew perfectly well that Members of Parliament before they took a stroll on a hot day walked into their club and drank iced cider-cup, or any other refection they pleased. He knew that perfectly well, and the cheap newspapers would take care constantly to remind him of it. Therefore, whatever the intentions, the course proposed by the hon. Member was a course of class legislation. They were told that there were restrictions already, and that they worked very well. He thought the present restrictions did work well, and prevented drunkenness on Sunday mornings, without interfering with the public. But it did not follow that they must go further, and prevent the labouring man sending out for his pot of beer for dinner. To say that some restrictions justified total prohibition was the most illogical attempt at reasoning which he had ever heard. But he would go further, and say that they might prove to him that the Bill would diminish drunkenness, and yet he would not vote for it. They did not attempt to enforce the moral code by legislation ; if they did, many things would have to be punished which were not punished now. Speaking as a legislator, there were worse things than drunkenness, and one worse thing was to have great masses of the labouring classes feeling that they were unfairly treated by this House. It was a worse thing than a certain amount of drunkenness to have a rankling feeling of discontent among the people at class legislation being indulged in at their expense ; and he believed, in spite of the Petitions that had been presented, that would be the feeling in the country when this measure came into practical working. All who heard him were householders. Burglaries were things which they had a great objection to, and were very unpleasant. Suppose there was a regulation that every man found out of doors after eight o'clock in the evening should be shut up by the police ; there would be an end of burglaries. But for every burglar they would shut up 10,000 honest men. Why should they, for the sake of one drunkard, prevent thousands of temperate men drinking ? He knew that there were persons who contended that spirits and beer were poisons, and that any one who tasted either was on the high road to drunkenness ; but he also knew that were millions of men who during their whole lives had been consumers of beer and spirits, and yet remained temperate men. Therefore, there was no cause for imposing penalties on men who were not and were never likely to become drunkards. The hon. Member laid great stress on the case of Scotland ; but, on the question of Sabbath observance, Scotland had no relation to this country. The habits of Scotland were so entirely different that its legislation was no model for this country. There could not be a greater proof of the difference that existed between the two countries than in the answer that was given before the Royal Commission by a witness who was examined. He said that the effect of the Sunday closing would work well in large towns, but not well in the country. He said that in the country people came a great distance to the morning services, and they remained in the village churchyards for two or three hours to attend the evening services, and therefore they required houses of refreshment. Now, it was just the very reverse in England. The Sunday closing might work well in the country, but it certainly would not in the large towns. Being anxious to see what the state of Glasgow was on a Lord's-day, he walked out, and he saw only five or six carriages in motion. The observance of the Sabbath was so strict that nobody moved on wheels. The Scotch treated it as the Jews did; in this country we did not, and he hoped we never should. The hon. Member alluded to the Petitions. They knew a good deal about Petitions and how they were got up, and he believed that some of the persons who had signed the Petitions in favour of this Bill would be the loudest to complain the first time they were thirsty on a Sunday and could not get a glass of beer—even if they did not express their disapprobation by violent demonstrations. He would refer to what took place on the closing the Post Office service on Sundays. Any one who observed the Petitions for that measure would have thought that the people were unanimous in desiring it; but the instant it was tried the inconvenience was found so intolerable that the resolution was rescinded—and that was what they would have do if they committed the great mistake of passing the Bill now before the House. The English labourer was not like the French. He cared not about equality or fraternity, he did not care much about hereditary titles and that sort of thing; but when anything came home to him, and affected his comforts and privileges, he was a very awkward man to deal with. The riot in Hyde Park was said to have been a riot of costermongers. Although it might have been taken up by the Westminster roughs—and doubtless they were the persons who broke the windows—he could state positively, from personal observation, that those who made the previous demonstration bore all the appearances of respectable mechanics. It was said, why should public-houses be an exception to the law which required shops to be closed on Sundays? But that was not a fair statement of the facts. In those places where the opening of shops was offensive to the feelings of the residents shops were not opened on Sundays; but in other districts they were opened, and he could take the hon. Member to streets where every shop, selling every kind of article, was opened on Sunday mornings. Would the hon. Gentleman like to have the public-houses closed in respectable localities and open in all the lowest districts of the metropolis? Then they were told that they wanted them open because they sold beer and spirits. He did not say so; but because they were houses of public reception and public entertainment. The English mind associated the idea of beer with refreshment. If Englishmen could be persuaded to associate the idea of refreshment with the word soda-water and ginger-beer he was perfectly willing; but he rather thought that the separation of John Bull from John Barleycorn was a very difficult operation. If they could, there would be no necessity for public-houses at all. This was one part of a much larger question. He had received a copy of a publication by the committee of the Derbyshire society for promoting the due observance of the Lord's-day, enclosing an address to the Queen from the archdeacon and clergy of the archdeaconry of Derby, in which they said, "we also respectfully entreat your Majesty to exercise your authority to put a stop to the playing of bands at Windsor." And further on—

> "We would also humbly solicit your Majesty's Royal interference to prevent the unhallowed assemblage of the higher classes, with their equipages, in your Majesty's parks on the Lord's-day, which is highly demoralizing not only to the persons themselves, and to their servants, who are thus forced to desecrate the Sabbath, but highly injurious in the way of example to all classes of your Majesty's subjects."

But was it the higher classes who frequented Hyde Park on Sunday. He said no. The higher classes, who used to make Sunday a great day for travelling and giving great dinners, had ceased to do so without any interference by the law, entirely from a good feeling towards their servants, and were generally agreed to give their servants and their horses rest on that day. This was a notorious fact, but it appeared not yet to have found its way into Derbyshire. The memorialists took an entirely Jewish view of the subject, and according to that view no man who signed the memorial was not himself a sabbath-breaker. Every man who rang a bell, who lit a fire, who had a hot dinner was, according to this view, a sabbath breaker. This document was circulated on the eve of the second reading of the Bill, and Members were enjoined to carry it only as an instalment. These persons wanted more stringent regulations, and regulations entirely distasteful to and inconsistent with the Christian character. Theirs was not the English view, and never had been, except during a short period of our history, to which he did not think we ever wished to recur. The views of these gentlemen reminded him of what occurred some years ago. One of the earliest converts — a chieftain in an island in the Pacific—came to this country. He was well received in the religious world, and on the first Sunday was invited to a tea-party at Clapham. When the hissing urn appeared, he was astonished, and said, "What is this—boiled water on a Sunday? Why, the missionaries never allow me to light a fire on a Sunday." He hoped the chieftain returned to his home a merrier and a wiser man. The Maine Law men and the Lord's-day Society had combined; but, in spite of the organization of these two powerful societies, he trusted that the common sense of the House of Commons would prevail, and that they would not pass a measure which he believed they would have to repeal in a very great hurry.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Captain Jervis.*)

Mr. CLAY said, he was not surprised that there should exist a great deal of enthusiasm in favour of the Bill of his hon. Friend and Colleague, because no one would deny the advantage of seeing drunkenness diminished, whether on the Sabbath or any other day of the week. The difficulties in the way, however, were numerous and obvious, and they had been clearly stated by the hon. Members who moved and seconded the Amendment. He believed that in London, and perhaps in other great towns, this law could not be compulsorily carried out without discontent and riots, much more serious than the advocates of the measure would like to provoke. As to the suggested expedients with a view to meet this objection, such as to open a select number of houses, or to open all houses for a short time, he believed that in either case the temptations to drunkenness would remain unchanged. There was, however, he thought, one way in which this measure might be made to work beneficially, and that was by making it permissive. If his hon. Friend would pledge himself to make the Bill permissive, by the addition of a clause to that effect, he would Vote for going into Committee; but if he did not introduce such a provision, he must Vote against the second reading of the Bill, which would, in his opinion, be productive of discontent, riot, and disorder.

Mr. HORSFALL said, that before stating certain facts with regard to the borough of Liverpool, he would reply to a few of the observations which had been made by the hon. and gallant Member who had moved the Amendment (Captain Jervis). The hon. and gallant Member had stated that the effect of legislation in Scotland had not been to diminish either the consumption of spirits or the amount of crime. That statement was entirely erroneous. The effect of legislation to check the sale of intoxicating liquors had been quite successful. It appeared from the Returns, that during the five years after the passing of the Forbes Mackenzie Act the consumption of spirits in Scotland had fallen off 750,000 gallons; and as to crime the Royal Commissioners to enquire into the working of that Act said—

> "The improvement in large towns has been most remarkable. Whereas formerly on Sunday mornings numbers of persons, in every stage of intoxication, were seen issuing from the public houses, to the great annoyance of the respectable portion of the population on their way to church, the streets are now quiet and orderly, and few cases of drunkenness are seen. The evidence of the police authorities proved that, while there has been a considerable diminution in the number of cases of drunkenness and disorder since the passing of the Act 16 & 17 *Vict.*, c. 67, the change has been more marked on Sunday than on any other day in the week. Employers of labour and workmen themselves were unanimous in testifying to the great improvement that has taken place in the regularity of the attendance at work on Monday morning; and many publicans examined before us expressed themselves as grateful for the existing law, regarding the cessation of business on Sunday as a boon of which they would not willingly be deprived. It was alleged by some of the witnesses that the improvement to which we have referred is more apparent than real, and that the persons who formerly resorted to public-houses on Sundays now either purchase a supply of spirits on Saturday evening, which they consume next day in their own houses, or obtain drink to as great an extent as before at unlicensed houses, or, as they are termed, 'shebeens,' the number of which is stated to have greatly increased of late years. There may be some truth in these allegations. But we did not obtain any evidence to prove that the practice of drinking to excess in their private houses prevails to a greater extent among the lower orders now than it did formerly. And with regard to 'shebeens,' while the evils arising from them, and the remedies by which these evils may be met, will form the subject of remark here-

after, it may be noticed at present that to attribute to them anything like the amount of intemperance which the closing of public-houses has put down is to ignore the evidence already referred to as to the decrease of Sunday convictions, and the increased regularity of attendance by the labouring classes at their work on Mondays."

In quoting from the pamphlet, entitled *Working of the New Beer Act*, the hon. and gallant Gentleman omitted to state that that pamphlet contained eighty-seven Returns from the most important towns in the kingdom, eighty-two of which, including Bradford, were in favour of the Act called Wilson Patten's Act, and thirty thought that it would be an improvement if the public-houses were closed altogether on Sundays. The Return from the Superintendent of police of Harwich, the borough which the hon. and gallant Gentleman represented, was that since the Act came into operation intoxication on Sunday had diminished, crime generally had decreased, and the neighbourhood was on a Sunday quieter and more orderly than before. His hon. and gallant Friend had alleged that this was a measure in the direction of class legislation. It might be class legislation, but its object was to put all parties upon the same footing. But the law as it now stood was class legislation, because it enabled licensed victuallers to carry on their trade on a Sunday, which all other classes were prohibited from doing. Nor was there any foundation for the analogy that was attempted to be set up between public-houses and clubs; in virtue of which discovery the hon. and learned Member for Sheffield (Mr. Roebuck) had given notice, that if this Bill was agreed to, he should move to include clubs within its operation. But, with all due deference to the logical mind of the hon. and learned Gentleman, the cases were not at all parallel. Public-houses were houses open to the public, to which every individual had a right to demand access, while clubs were private houses from which the public were excluded, and to which they had no right to demand admission. They were, in a manner, the private residences of many Members of that House and other persons. The hon. and gallant Member for Harwich had referred to the subject of the Petitions which had been presented in favour of this Bill, and to the manner in which he suggested they had been got up. Of the Petitions which he had presented, not one was signed by children; and among them was one signed by several hundred barmen, barmaids, and waiters in public-houses in Liverpool, who prayed the House to give them a day of rest. He now came to the facts connected with Liverpool, which he had promised to state to the House. On the 18th of May a meeting, at which he was present, was held in St. George's Hall) to receive the result of the canvass of that town. There were 4,000 persons inside the Hall, and a large assemblage outside, both of which meetings resolved to petition in support of this Bill. Before the result of the canvass was announced, the Rev. Dr. White stated the mode in which it had been carried out—

"There were sixteen districts with one man to each, each man being furnished with a section of the Map of Liverpool, with the most stringent and oft-repeated instructions—1st, to omit no house, whether of rich or poor; 2nd, to make no attempt at coercing any to sign any of the papers in particular, or, if unwilling, to sign at all; 3rd, to misrepresent none, but honestly to report the returns made, whatever they were; and lastly, to receive no signature unless made by the principal or by one acting by his or her authority."

The result of the canvass so conducted was as follows:—There were in the borough 72,350 houses, of which 5,350 were uninhabited, and 67,000 inhabited. Of the occupants of these houses 6,339 were neutral, 6,417 were for closing except for two hours, 3,330 were against Sunday closing, and 44,100 were for total closing on Sundays. More than this, he had the satisfaction of stating that of the working men who signed the Petition a large majority were in favour of the total closing. In one district, which was chiefly inhabited by working men, 352 artisans were in favour of this Bill, and 55 against it; while 1,687 labourers were in its favour, and only 159 against it. Such a canvass ought to convince any one what were the opinions of those whose judgment it represented; and he had no doubt, that if every large town and rural parish in the country was canvassed, there would be a large majority in favour of this Bill. The hon. Member for Hull (Mr. Clay) had expressed some apprehension of riots if the Bill passed. He was not afraid of riots, and he earnestly asked the House to pass the second reading of the Bill, which he was convinced would confer social and lasting blessings upon every class of the community.

MR. WYKEHAM MARTIN said, that it was impossible to establish the distinction between clubs and public-houses which the hon. Member for Liverpool had attempted to set up. He believed, that if the Bill were passed, it would stop a traffic that was perfectly innocent—the sale of beer for the dinners and suppers of the working classes, and of a large portion of the middle and professional classes. In London and many large towns Sunday was the only day on which artisans, professional men, and, in many instances, rich merchants dined with their families; and, as described by the Rev. E. Spooner (a near relation, he believed, of the hon. Member for North Warwickshire), in a lecture he had delivered, who was for a long time the clergyman of what he might term a model district in the metropolis, the houses of many of these persons afforded no means of keeping either a dozen of wine or a barrel of beer, and a great deal of the trade done by public-houses on a Sunday consisted of the supply of dinner and supper beer. While Mr. Spooner admitted that in the hands of unscrupulous and greedy landlords public-houses might be converted into horrible and wicked dens, he said that, speaking generally, they were well conducted, and were convenient to all classes as places where they might get small supplies of wine and beer. And it was so—the public-houses were the cellars of the poor, the professional, and almost of the middle classes, in the same way that clubs were the cellars of those who had the means of becoming members of them. Would it not be class legislation to keep open the clubs and to shut up what were practically the clubs of the people? He admitted that the majority of signatures to Petitions was greatly in favour of this Bill, but he was disposed to attribute that not to want of opposition to the measure, but to the fact, that by the Bill being accidentally put down for the Wednesday in Whitsun week, an impression had been created that it was not intended to press it seriously this year. Under these circumstances, his hon. Friend would, if he gained a victory, do injury rather than good to the cause of sobriety and Sabbath observance. In matters which affected the social comfort of the masses, that House ought to follow rather than to endeavour to lead public opinion; and he should therefore recommend that both the Motion and the Amendment should be withdrawn, and that the hon. Gentleman should give notice of his intention to introduce a similar measure next year, and to press it seriously. Every one would then have warning, and time to prepare for the change, if it was made, and no complaints could arise. If, however, such an alteration of the law was carried out without due notice, dissatisfaction, and possibly, disorder, would be caused, and, possibly, the House might find it necessary to defer to that dissatisfaction and retrace its steps. In such a case there would naturally be a dangerous re-action, and greater evils would be produced than those which it was sought to remedy by this Bill—

"Those will drink who never drank before,
And those who always drank will drink the more."

Mr. BAINES thought that there had already been a sufficient indication of what was the opinion of the public upon the question to enable them to act as the hon. Gentleman desired, and to follow that opinion, and that was what this Bill professed to do. Allusion had been made to the riots in Hyde Park in 1855, when a Bill analogous to this was before Parliament. It was true that there were violent demonstrations in 1855 against the Sunday Trading Bill introduced by Lord Robert Grosvenor; but he believed, and the canvass indicated, that during the eight years which had elapsed since that period there had been a great progress in the public sentiment upon this subject. The House should adopt or reject this Bill from facts and evidence, and in his opinion the facts and evidence went to prove the expediency of adopting it. A good deal had been said about the inconveniences which might be caused by the operation of this Bill. What measure would not cause some inconveniences? If the proposal were now first made to set apart one day of the week as a day of rest, many more objections could be raised to it than could be raised against this Bill. But, thank God, they had a Sabbath, and all objections vanished, and the day proved to be one of the greatest blessings conferred upon mankind. He would not quote the opinions of individuals as to the necessity for such legislation as this, but would refer to the Report of Mr. Villiers's Committee in 1854, and refer to the state of things in London and other towns in England, in Scotland, and in Ireland. The Committee reported that the testimony was universal, that the greatest amount of drinking took place on Saturday night and during the hours that the public-houses were open on Sunday; and it was stated that in Marylebone there were on Sunday evenings a greater number of persons in the public-houses than there were in all the churches and chapels. In the course of an investigation recently conducted by the National Temperance League in London it was ascertained that during four hours of Sunday 44,000 persons visited eighty-eight public-houses. When it was remembered that there were in the metropolis 10,000 public-houses, this would give hon. Members some idea of the immense number of persons who visited them every Sunday. The public-houses of Manchester were watched on six successive Sundays in 1853, and it was found that on the average 212,000 visits were paid to them. The Forbes Mackenzie Act was the result of an inquiry in Edinburgh, which showed that a statement that 41,900 persons visited the public-houses in that city every Sunday in 1850 was considerably below the truth. In Liverpool the Superintendent of Police stated that before the public-houses were closed on Sunday mornings the debauchery on those mornings was excessive; and he (Mr. Baines) had obtained a Return from the Superintendent of Police in Leeds, showing that during the last six months there had been eight hundred cases of drunkenness, of which two hundred occurred on Sundays—or one-fourth of the whole, instead of one-seventh, as it would have been had the drunkenness been distributed equally over the days of the week. But were they without evidence how this Bill would work? Restrictions had at various times been placed upon the keeping open of public-houses on Sunday, and all these had been found to operate most beneficially. Mr. Duncan M'Laren, who was Lord Provost of Edinburgh at the time the Act for closing the public-houses passed, had kindly furnished him with statistics enabling him to compare the amount of drunkenness then with that which now existed. During the six months elapsing between September and April, 1853-4, the number of persons found drunk and incapable in the streets of Edinburgh was 2,640. In the corresponding period in 1861-2 the number had fallen to 1,437; and in the same interval in 1862-3 it was 1,102. Persons said, "Oh, but there are some who do not drink on Sundays who drink on other days." But these Returns exhibited the number of arrests made for drunkenness on Saturdays, Sundays, and Mondays respectively, at the dates he had already mentioned. Taking the Saturdays first, in the six months of 1853-4 669 arrests were made; 345 in 1861-2; and 259 in 1862-3. On Sundays, extending in like manner over the six months of 1853-4, there were 301 cases; 125 in 1861-2; and 115 in 1862-3. Then as to Mondays—and this was a test of the correctness of those who held that the Scotch people drank on Monday to make up for their want of drink on Sunday—here were the details: 348 cases in 1853-4; 140 in 1861-2; and 102 in 1862-3. Of actual arrests made in the streets of Edinburgh for drunkenness between eight o'clock on Sunday morning and eight o'clock on Monday morning, there were 173 in the six months of 1853-4; in 1861-2 only thirty-nine; and in 1862-3 but twenty-three. It was impossible to contend against evidence so forcible as that. If additional testimony were wanting, they found it in the addresses of heads of the Roman Catholic Church. The Most Rev. Dr. Dixon, Primate of Ireland, wrote thus—

> "How often are the salutary instructions received in the church forgotten, almost immediately after, in the adjoining public-house! It is not wonderful that the clergy should lament particularly over the evils of Sunday drinking, and labour with a special zeal for its suppression. We rejoice to say that several have succeeded, to a great extent, in this good work. If Sunday drinking were suppressed, we should hear little of those abominable secret societies which have worked such mischief in this country, and to none more than to the members of them; and if this opportunity were taken from him, a great step would be made towards the reformation of the drunkard."

The Roman Catholic Bishop of Ferns spoke of the happy results following from the closing of public-houses on Sundays in that diocese, which had been brought about by clerical influence. There could be no doubt that in the long run the publicans themselves, in their moral, and perhaps even in their pecuniary interests, would be gainers by the passing of this measure, and he had been very much struck by the view that had been taken of the question by a large number of the publicans themselves, who had petitioned in favour of the Bill. If for a time their receipts should be diminished, they would soon regain the average rate of profit on capital and labour. He was bound in candour to admit that he himself had not been originally favourable to this Bill, thinking there was not any likelihood of its being carried. He had even suggested that it should be modified so as to be merely a Sunday Evening Closing Bill. But the interest taken in the measure by the working classes ultimately convinced him that in its present shape it was better adapted to the wishes of the country. At a borough meeting of 4,000 persons held at Leeds, the Mayor in the chair, resolutions in favour of the measure were carried, and on a show of hands only four were held up in opposition to the Bill, those four being suspected of belonging to two persons; and at a meeting of the Working Men's Institute in that town, only six hands were held up for a partial closing on Sunday, and six hundred for entire closing. He treated the supposition that the House would be overawed by riots as absurd, for he trusted it would never again suffer its action to be discredited as it had been once before. If it believed that the real interests of the country and an enlightened public opinion called for the measure, it ought to be passed regardless of clamour, and having passed it, the House ought to stick to it, firm in the conviction that they were conferring one of the greatest possible blessings upon the community.

Mr. PACKE said, that having on a former evening moved that the House should refuse to allow the Bill to be introduced, he thought it right that he should offer a few observations in explanation of the vote he was about to give upon the present occasion. The House, he conceived, was bound to legislate for the interests of the whole of the people of England, and not for those of any section. Now, notwithstanding all the speeches that had been made in favour of this measure, he felt convinced, that if it was carried, it would be found to be one of the most tyrannical measures that had ever been passed by this House. It would be the merest class legislation they ever saw attempted. The total abstainers would, no doubt, be pleased; but it could make no difference to them whether the public-houses were closed or not—the Bill would be inoperative as to them; while, as regarded the confirmed drunkards, they would continue in spite of the Bill. On the other hand, the sober and moderate consumers of fermented drinks would be shamefully used by the enactment. For those parties those drinks were not intoxicating; they were only intoxicating for people who drank them immoderately. Any one who passed through the streets of London in the early portion of the afternoon on the Sunday, soon after Divine service, must have observed numbers of respectable persons and servants going to the public-house for the purpose of obtaining a moderate allowance of beer for the dinners of themselves and their families. Beer, in the quantities they drank it, was as harmless as water—and what right had Parliament to exclude them from that enjoyment? Those who had favoured the House with public-house statistics had quite forgotten to state that the great majority of those who entered the public-house on Sunday did so merely for the purpose of procuring a solitary glass of porter. He believed that many persons were misled by the words "intoxicating liquors"—they were only intoxicating to those who used them in excess. It was true that an Act had already been passed for the prevention of the sale of intoxicating liquors on the Sabbath in Scotland; but the position of the labouring classes in Scotland, in reference to that subject, was entirely different from that of the working classes in this country. The Forbes Mackenzie Act was directed against the sale of whisky, which it was shown prevailed in Scotland to an enormous extent. It appeared that in the city of Glasgow alone a sum of £1,200,000 had been expended in the purchase of whisky in a single year. But the habits of the labouring classes in England were altogether different, and whisky as a national beverage was almost unknown; and there could be no reason for passing a special Act directed against its consumption. It was a fallacy to suppose that because partial closing had worked so well, therefore entire closing would be accompanied by still greater benefits. If he believed that the measure would be really attended by greater sobriety, he should be the first to support it; but he believed that its only effect would be to punish sober men by a most tyrannical exclusion.

Mr. LAWSON said, he should refuse to argue this question upon Sabbatarian grounds. The question how far a man was to keep the Sabbath holy was one for his own conscience, to be decided in a higher Court than even the High Court of Parliament. He would treat the matter as a question of police. It was only as a matter of police regulation that they had a right to interfere with the liberty of the subject, on the question of their food and drink. Even in that House some hon. Members had spoken of the consumption of these drinks as a matter of necessity, while others treated it as a mere luxury. There were three points which he thought important in discussing this question—one, whether the present police law answered; a second, whether it was probable that the measure of the hon. Member for Hull would be an improvement on the existing system; a third, would the carrying out of this measure give rise to greater inconveniences than the corresponding advantages. Now, some persons contended that the House had no right to interfere in this question in any way whatever. But here he might be permitted to read to the House a letter, written by the Under Secretary for the Home Department (Mr. Bruce). The hon. Gentleman asked—

> "If the abuse of lawful pleasures is to be visited by their absolute suppression, where are we to stop? Sunday is not the only day on which men get drunk; why not therefore extend the prohibition to week days? Beer is not the only corrupter of society. Thousands of women owe their ruin to the attractions of dress. Are gay dresses therefore to be suppressed, and all the world clothed in sombre, sad-coloured garments? Legislation of this kind is blind and mischievous; but it catches the superficial, and he believed, if carried, would strike a blow at the reasonable recreation of millions."

[*Loud cheers.*] He expected that this letter would be cheered by the opponents of the Bill. But what was the concession that it involved? Why, that to attempt to put down drunkenness would be to restrict the "reasonable recreation of millions." And the argument on which the suppression of the sale of these liquors on Sundays was opposed, was that it would interfere with this recreation. But was not this recreation of drunkenness the fertile source of nine-tenths of the crime and misery of the working classes? On this point he would not trouble the House; but he would proceed to inquire, was the proposal of the hon. Member for Hull likely to be an improvement. He contended that it was. It would be found, that whenever the House had attempted to restrain the sale of liquors, it had always succeeded in diminishing the amount of drunkenness. In the year 1848, a Bill was passed, whereby the public-houses were closed for half a day on Sunday. A subsequent Act, carried by Colonel Wilson Patten, still further curtailing the hours of sale on Sunday, was repealed in consequence of a Report of the Committee presided over by the hon. Member for Bristol (Mr. Berkeley). That Committee spent five days in examining witnesses, and two days in deliberation; twenty-six witnesses gave evidence before them, but twenty-five of these lived in London, and the other, who came from the country, was highly favourable to the Act they proposed to repeal. The hon. Member for Bristol summoned several inspectors of police to attend, but he did not think proper to examine one of them. The Committee, in the opening sentence of their Report, acknowledged that their inquiry was incomplete, and yet upon that Report the House repealed the Act, and were so hasty to do so that they suspended the Orders for the purpose. It had been said that the House was influenced by the Hyde Park riots; but the truth was, those riots sprung up out of a Bill of Lord Robert Grosvenor's on Sunday trading, which had no reference whatever to the sale of liquors. In Ireland, the Roman Catholic clergy had been enabled to stop the sale of liquors on Sunday to some extent, and with the happiest results, thus anticipating what was hoped to be brought about by this Bill. The Scottish Bill, which prohibited the sale of intoxicating liquors during the whole of Sunday, met with considerable opposition in Parliament. In 1859 a Royal Commission was appointed to inquire into the working of that Act. They spent several months in examining high and low, rich and poor, the temperance party and the drunken party. They examined in all 750 witnesses; and this Commission, which was asked for by those who considered the Act mischievous, reported favourably of its operation. No doubt, there were inconveniences in closing the public-houses in Scotland during the whole of Sunday; but last Session the hon. Member for Bute brought in a Bill to remedy these inconveniences. That measure was working well, and would be adopted, if necessary, in Committee on this Bill. He had looked through the Petitions published by the Petitions Committee, and had read the articles published in the press, and he could not see any insuperable difficulties in the adoption of this Bill. There was, first, the great excursion train argument. No doubt, the passengers by excursion trains would be inconvenienced by the want of refreshment; but the evil would not be so great as to outweigh the benefit of the Act. Those who travelled by excursion trains were the most frugal of the working classes, and they generally carried their provisions with them. The arguments on this score proceeded, it would be found, from a local class, the Londoners, whose interests were naturally invaded. Then, there was the great "fresh-drawn beer argument." That was, he would admit, the strongest argument against the Bill. There was no difficulty in regard to wines and spirits. Anybody could keep spirits over any number of days—if they did not drink them. He did not speak with authority on this point; but if a case of great hardship were clearly made out in regard to fresh-drawn beer, perhaps it might be met by allowing the public-houses of the metropolis to be open for two hours on Sundays. He did not pledge himself to support such a clause; but when the Bill had been read a second time, this point could be settled in Committee. If it was said that the Bill would not do for London, let the Metropolitan Members, who were twelve or fourteen in number, prove their case in Committee, and propose this Amendment. He did not see, however, why the whole country should suffer from drunkenness because the people of London and Westminster insisted on having fresh-drawn beer on Sundays. One witness examined before the Committee said, indeed, that some people would not care if half the world got drunk, so that they got a good head of beer. The next argument was, that if the Bill passed, there would be a large illicit sale of spirits and beer on Sundays. In the Report of the Commission on the Forbes Mackenzie Act it was shown that there was no pretence for this assertion; nor was there any more truth in the allegation that the working classes would get drunk in their own houses. The Commission showed, on the other hand, from the evidence before them, that the workmen came to their work more regularly on Monday morning, that they were better off, and that there had been no increase in private drinking. It was necessary for the opponents of this Bill to show why there should be an increase of private drinking in England, when there had been none in Scotland. Another argument was that great numbers of the working classes held the meetings of their clubs and benefit societies in public-houses on Sundays. Mr. Tidd Pratt had shown, however, that the one great cause of the failure of friendly societies was their being held in public-houses at all. He said that the number of societies enrolled in Herefordshire since the beginning of the century was 136. Of these, 123 were commonly held in public-houses, and thirteen in schools and private rooms. Of the 123 no less than twen - four had been broken up, whilst of the latter only one was dissolved. That was a sufficient answer to this argument. The greatest lion in the way of this Bill was the argument that there ought not to be one law for the rich and another for the poor. It was a very honourable and noble feeling on the part of the House to manifest this repugnance to make a law for the poor which did not apply to the rich; but the rich man was out of court in this matter. He was neither to be inconvenienced nor benefited. The Bill was for the poor man, and the sole question the House had to consider was whether it was a good Bill for the poor man. A great deal had been said about the promoters of this Bill being actuated by cant and hypocrisy; but could there be a worse description of cant than that which refused to argue such a measure on its merits, and which said, "Don't do good to the poor man because you do not inconvenience the rich?" He only wished that hon. Gentlemen who used this argument would let working men speak for themselves. He maintained that there was no legislation which the working man had so much at heart as a restriction upon the sale of intoxicating drinks. It might be asked why, then, the working men did not keep out of these places? He would admit it would be much better if they would withstand the temptations which beset them at every corner of the street; but they told the House, "Our safety is in removing these temptations from us." He said it was cruel, for the sake of benefiting the Exchequer, to place these temptations in their way. The hon. Member for Liverpool (Mr. Horsfall) stated that 86 per cent of the working men of Liverpool were in favour of this Bill, and an immense number of Petitions had emanated from the Wesleyan body, which was mainly composed of the lower order of the people. The right hon. Gentleman the Home Secretary said eight years ago, that if universal suffrage were carried, he believed it would be followed by the shutting up of the public-houses. [Sir GEORGE GREY dissented.] Yes; the right hon. Gentleman made that assertion eight years ago. Then it was said the promoters of this Bill could not carry it against public opinion. Of course not; but how was the House to judge of public opinion, especially of the opinion of those whom they did not represent, except by assuming that the enormous majority of public Petitions and the number of public meetings expressed an overwhelming preponderance of public opinion? It was admitted that there had been a failure in the existing law, and the remedy now proposed had been eminently successful whenever and to whatever extent it had been tried. Let the House now listen to the appeal of the people, and sanction a law which would do more than any other legislation to promote the moral, social, and intellectual progress of the people of this country.

Sir GEORGE GREY:—Sir, I voted for the introduction of this Bill because I thought it desirable, knowing the great interest which a large number of persons take in the passing of such a measure, that it should not be contemptuously rejected, but should be reserved for a full and ample discussion on the second reading, and I think that the instructive discussion to which we have just listened affords a decided proof of the propriety of the course I pursued when the subject was first brought under our notice. I entertain great respect for the motives of those honourable and conscientious persons who advocate this Bill, but I cannot shut my eyes to the fact that many of those who petition for this measure are persons who would gladly see an absolute prohibition of the sale of all intoxicating liquors, and who, believing that drunkenness is a fruitful source of crime, think that the law ought to interpose and prevent the sale of intoxicating liquors at all. My hon. Friend who has just sat down (Mr. Lawson), in his very candid speech, admitted that the argument in favour of fresh-drawn beer is irresistible; and he threw out a suggestion which was, in fact, an abandonment of the principle of the Bill, which is that of the entire prohibition of the sale of intoxicating liquors on Sunday; because his suggestion that public-houses might be opened for two hours would only place an additional restriction on the number of hours during which public-houses are now allowed to remain open. I understood my hon. Friend also to hint that an exception might be made in Committee in favour of London, which would be an exemption of nearly 3,000,000 persons from the operation of the Bill. If these alterations are made in the principle of the Bill by one of its warmest advocates, it confirms me in the belief I have long entertained, that the more this Bill is discussed the less likely it will be to pass. If this measure should receive the Royal assent, no one will be able to obtain from any public-house a glass of beer or spirits from eleven o'clock on Saturday night until six o'clock on Monday morning through the whole of England. I am bound to look at the possibility of being able to carry out such a measure, if Parliament should pass it, and I believe that it would be altogether impossible to enforce the provisions of this Bill. The inconvenience and privations which such a measure would impose on the masses would be so great that it would not only be impossible to enforce the Bill, but a violent re-action would probably take place, and we should run the risk of an inroad being made upon those salutary restrictions which now exist as to the time during which public-houses are allowed to remain open on Sundays. I listened very attentively to the speech of the hon. Gentleman who moved the second reading of this Bill (Mr. Somes). I supposed we should hear, among other grounds for effecting so important a change in the law, that drunkenness is on the increase, and that the time during which the public-houses are now allowed to be open on Sundays has produced results which call for the interference of Parliament. But I heard no such argument from the hon. Gentleman. He gave us no proof that drunkenness is on the increase, and, indeed, there is good reason to believe that it would have been impossible for him to have advanced any such statement. I have here the last statistical Return laid before Parliament, and which hon. Members will find in the library, of the number of persons in the metropolitan police districts who have been taken into custody (not convicted) for drunkenness, and as drunk and disorderly. In 1854, the number was 22,078. In 1855, when the Act of my hon. and gallant Friend (Colonel Wilson Patten) came into operation, there was a great decrease —namely, from 22,078 to 19,479. In 1856 there was a further diminution to 18,700. In the years 1859, 1860, and 1861 there was a progressive decrease. In 1859 the number was 18,779; in 1860, 18,199; in 1861 it had diminished to 17,059. These Returns show a great and continuous decrease in drunkenness, consequent upon rational restrictive regulations; and that in 1861, as compared with 1855, the year in which, according to the hon. Member, the drunkenness was so great, there was a diminution of more than 2,000 in the number taken into custody. This, too, was during a period of seven years when the population was rapidly increasing. A similar state of things appears to have prevailed in the great towns throughout the country. A great deal has been said in regard to Liverpool, but the Returns from that town for the last three years likewise show a diminution in the number of persons taken into custody for drunkenness. In 1859 the number was 11,037; in 1860, 10,963;

and in 1861 it had diminished to 9,832. These figures certainly furnish no reason why the House should endeavour to check the consumption of intoxicating liquors by any violent and precipitate measure. The arguments urged by the hon. Member who first spoke, and repeated by others, are, that drunkenness is a fruitful source of crime; secondly, that public opinion has been very decidedly expressed in favour of such a measure—such public opinion having been ascertained by a house-to-house canvass; thirdly, reliance is placed on the success of the Bill of my hon. and gallant Friend (Colonel Wilson Patten), which restricts the hours during which beer and spirits may be sold on Sundays; and fourthly, an appeal is made to the experience of the Forbes Mackenzie Act in Scotland, and the result of the Commission of Inquiry into the operation of that Act. As to the first argument, that drunkeness is a fruitful source of crime, no one will dispute it, but it does not advance the case for this Bill one step. If those who promote this Bill think that the prohibition of the sale of intoxicating liquors for one day in the week is a check upon crime, then the prohibition for seven days in the week would be a still more effectual check upon drunkenness and crime. The next argument is as to the opinion of the public as it has been ascertained by a canvass. The hon. Member for Liverpool (Mr. Horsfall) says that the working classes of that town are in favour of this Bill. I had the honour of receiving a deputation from various parts of the country in favour of the measure. One gentleman told me that so many thousand persons were in favour of this Bill, and he also told me how many thousand were householders. I asked him how many adult working people there were who were not householders, and whose opinion had not been taken, and he could not give me an answer. I found that Sheffield had been so canvassed, and that 13,165 householders were in favour of a total closing of public-houses on Sundays. But does that represent the opinion of the working classes of Sheffield? The hon. and learned Gentleman who represents that town (Mr. Roebuck) has presented a Petition against this Bill, signed by 24,000 adult males employed in manual labour at Sheffield. That fact shows that the canvass of which we have heard did not elicit the opinion of the operatives on the subject. A Petition has also been presented, signed by 10,000 working men at Newcastle against this Bill, and another from 20,000 adult males of the working classes of Halifax. When, therefore, we are told that there has been an active canvass from house to house, and that a large majority of the people of this country are in favour of the Bill, I cannot take that as demonstrating the opinion of the working classes, or assume that they are asking Parliament to subject them to the deprivations and inconveniences which will follow from the adoption of this measure. Then, as to the success of the Act of my hon. and gallant Friend (Colonel Wilson Patten), I should be disposed to find in that success the strongest argument against the present Bill. If there was a sensible diminution of drunkenness under that Act, which left the public-houses open for six hours on Sundays, and if the result was so satisfactory as almost to cause the Monday cases of drunkenness to disappear, are the promoters of this Bill entitled to draw from such an improvement an argument that we ought absolutely to prohibit the sale of intoxicating liquors on Sundays? That Act was passed after full inquiry by a Committee, over which my right hon. Friend the President of the Poor Law Board (Mr. C. P. Villiers) presided. That Committee recommended, that with the exception of the hours from one to two o'clock p.m., and from six till nine p.m., all places for the sale of intoxicating drinks should be closed on Sunday. The Committee added to that recommendation another—namely, "that it is expedient that all places of rational recreation and instruction now closed should be open to the public after the hour of two p.m." That recommendation was not acted upon, and my hon. and gallant Friend brought in a Bill founded on the first Resolution. That measure was passed after full communication with different persons, and my hon. and gallant Friend was under the impression that the matter was permanently settled. But the Act had not been ten months in operation before the privations and inconveniences to which the public were exposed compelled the Legislature to interfere. An inquiry took place, and the present law was passed, under which public-houses close at twelve on Saturday night, and do not open until one p.m. on Sunday. They are closed again from three to five on Sunday afternoon. They are then again opened until eleven p.m. on Sunday night, when they close until four on Monday morning. Under the operation of this Act there has been a sensible and progressive decrease in the amount of drunkenness, not only in London and Liverpool, but, I believe, in other parts of the country. I do not say that the decrease of drunkenness is attributable solely to the present law, because it is owing in a great measure to the improved education of the people, to moral influences, and to those arguments addressed to the reason and understanding which dissuade men from abusing the gifts of Providence, and lead them to use those gifts in moderation. I believe that this wholesome state of things will be endangered by the passing of this Bill. With regard to the opinion of the magistrates, I think there was not one who was examined before the Select Committee who advocated the total prohibition of the sale of intoxicating liquors on Sunday. I do not know, indeed, one single authority of weight and influence in favour of the principle of this measure. The last argument in favour of the Bill to which I will advert is that drawn from the success of a similar measure —the Forbes Mackenzie Act—in Scotland. In the first place, however, the observance of the Sabbath is much more strict in Scotland than here; and another reason is that beer is not the beverage of the working classes in that country — their usual drink is whisky. That is a most important distinction, because, as my hon. Friend the Member for Carlisle (Mr. Lawson) has said, spirits can be kept in the house any length of time if you do not drink them. If any hon. Member walks in the streets after church on Sunday mornings, he will see a number of well-dressed and well-conducted persons—young men and young women—coming from the public-houses with jugs in their hands, containing fresh-drawn beer. But what would be the operation of this Bill? Not one of those persons would be able to get this fresh-drawn beer; and any one who knows the condition of the habitations of the working classes would be able to say whether beer, either kept in bottles or put away in vessels on a shelf in the miserable places where these people too often sleep, would be drinkable or not on Sunday. The House ought to have some very cogent reason for interfering in this manner with the innocent enjoyment of a wholesome beverage which working men now drink with their families at dinner on Sundays. Another argument against this Bill is to be found in the great number of excursion trains. Gentlemen who have looked at the evidence before the Committee will find that there was a great difficulty in defining what was a *bonâ fide* traveller. A difference of opinion arose as to the meaning of the term, some contending that excursionists to Richmond and Kew were *bonâ fide* travellers, and others being of opinion that the words "*bonâ fide*" meant that people must be travelling for some purpose of necessity, and not of pleasure. Those words were left out of the subsequent Act which permitted the sale of liquors to travellers. Look, then, what the result of this Bill would be upon the domestic habits of the great bulk of the working classes, supposing the present exemption in favour of travellers were maintained. The man who is determined to have his beer and spirits puts himself into one of these excursion trains, and at every station at which the train stops he may consume any amount of beer and spirits; but the quiet domestic people, who stay at home and go to church, cannot get any. I must say that the opinion which I expressed upon the first reading, that I should not be able to vote for the second reading of the Bill, has been fully confirmed by the arguments which I have heard. I hope, therefore, that the House will not sanction the principle of the Bill; and I must say I wish that the persons who advocate this measure so strongly would trust more to the influence of good principles implanted in the minds of the people than to the attempt altogether to remove temptation out of their way, and would rather appeal to their moral feelings than rely upon restrictive Acts of Parliament. They have already done much good by their advocacy of temperance, and are entitled to much praise; but I fear they would only mar the result of their labours by inducing Parliament—if unfortunately it should be induced—to pass a law which would be opposed to the feelings and the habits of the great body of the people.

MR. H. BERKELEY said, he had been alluded to by his hon. Friend the Member for Carlisle in his character of Chairman of the Committee of 1855, on the question of the closing of public-houses on Sunday; and his hon. Friend had thought proper to speak in terms of disparagement of the acts of that Committee. Some allowance must be made for the statements and opinions of his hon. Friend, who, in his horror of drunkenness, a feeling shared in by almost every Member of that House, had actually become such a convert to water that he stood forth quite a river-god—a kind of Parliamentary Acis. His hon. Friend said that the Committee in question had examined witnesses whom they ought not to have examined, and had left unexamined persons whom they ought to have examined. Now, the Committee was formed of Members of the greatest possible weight in that House. He begged to recall their names to the attention of the House:—The Right Hon. C. P. Villiers, Sir William Jolliffe, Sir Patrick O'Brien, Sir John Pakington, The Hon. Henry Brand, Sir William Clay, Mr. Cobbett, Mr. Scholefield, Mr. Gregson, Mr. Cheetham, Major Baring, Mr. Ker Seymer, Mr. Massey, Lord Harry Vane—himself as Chairman. With respect to the witnesses examined, they comprised all the Metropolitan Police Magistrates, the Commissioners of Police, and several other persons of great authority. Sir Richard Mayne stated that 3,000 persons had been conveyed by excursion trains occasionally without having the power of obtaining either food or drink, and he expressed himself in favour of a repeal of the Act with reference to the closing of public-houses on Sunday. The magistrates disagreed with each other as to the meaning of the word *boná fide* traveller, and some of them gave interpretations which were perfectly monstrous. Eventually the question had to be settled by the Judges. He could see nothing in the conduct of the people in 1863 which called for more stringent measures than were necessary in 1855. On the contrary, he believed that the people had shown perfect power to guide themselves without vexatious Acts of Parliament.

MR. ADDERLEY said, the right hon. Gentleman the Home Secretary had misrepresented the Bill when he described it as a Bill for the total prohibition of the sale of liquors on the Sunday. The preamble of the Bill merely stated, that whereas the existing law had done great good in closing public-houses during a portion of the Sunday, the present Bill proposed to extend the law to the whole of the day; but it did not say anything about total prohibition of the kind of sale which the present law retained. He (Mr. Adderley) was opposed to some of the provisions of the Bill, which he thought too stringent; but, at the same time, he was anxious to see the measure passed through a second reading, in order that the clauses might be so altered in Committee as would meet all the objections urged by the right hon. Baronet, and assimilate the provisions of the Bill to the principles contained in the preamble. The present measure was primarily aimed against drunkenness, only incidentally for the better observance of Sundays, and the right hon. Gentleman said they could not legislate against drunkenness unless they went the whole length of the Maine Liquor Law. But there was surely some other alternative. He (Mr. Adderley) contended that drunkenness had recently increased in consequence of their own legislation, though in the long run it was diminishing throughout the country; and it was manifest to all persons of common sense that it was more likely drunkenness should take place on a Sunday than any other day, for the simple reason that the labouring population not only had more leisure then, but they had also more money to spend. He denied that the Bill was intended, as the hon. Member for Dorsetshire had said, to destroy the legitimate alliance between John Bull and John Barleycorn—at the same time, he believed that it would tend materially to diminish drunkenness. He was indeed happy to see that drunkenness was by no means so generally prevalent now as it was fifty years ago, when it pervaded almost every class of the community. But although drunkenness in this country had greatly diminished since that time, that did not do away with the fact that drunkenness had been stimulated by the beershops, and prevailed to a frightful extent on the premises of public-houses during the hours in which they were allowed to be open on Sundays. The evil was far too great and far too notorious to be pooh-poohed by the right hon. Baronet. The right hon. Gentleman said they could not secure sobriety by legislation; but they had produced drunkenness by legislation, and what this Bill proposed was to legislate against the legislation by which they had produced drunkenness. He (Mr. Adderley) thought the more effectual way of encountering the evil would be by dealing with the Excise laws; to do away with the extension of the excise licence system to beer-houses, which he considered had occasioned the greatest mischief throughout the country. This question of limiting the hours of drinking on the premises where drink was sold, was simply one of degree. A previous enactment closed the public-houses during Divine service on Sundays. The object of this Bill was to extend that law to the whole day. He believed, that if they could poll all the large towns in England, they would find a great majority of the inhabitants in favour of this measure. The influence of the publicans was no doubt strong the other way. On the grounds he had stated, he was not prepared to vote against the second reading, although he thought that material alterations and amendments might be made in the clauses when the measure went into Committee.

SIR GEORGE GREY said, the right hon. Gentleman had charged him with misrepresenting the principle of the Bill. In reply to that, he had only to say that the Bill was for the closing of public-houses on the Sunday—for absolutely prohibiting the sale of beer, wine, or spirits from eleven o'clock on Saturday night to six o'clock on Monday morning.

SIR MORTON PETO, who rose amid continuous cries for a division, said, as one of the largest employers of labour in the kingdom, he asked the House to hear him for a few minutes. He thought that in legislation on this subject they were bound to consider the feelings of the working classes. Now, from what he knew of the feelings of the working classes, he must say they were not prepared for a measure such as that. Nor was that the way in which the question should be dealt with. If the legislation of that House was to have any value in the eyes of the working classes, it must be just and equal. Let hon. Gentlemen be prepared to deal with their own comforts in the same way ; let them lay a fine upon the recipients of fish on the Sunday mornings, and let those who had the good things of this life in abundance show that they were prepared to set an example of keeping the Sabbath holy, and then they might legislate for the working classes without exciting jealousy or ill-feeling. He denied that the question treated in this Bill was one of degree. In point of fact, the Bill was one for closing public-houses on Sundays altogether. If such a measure was required, they might depend upon it they would hear more of it next Session, and they would do no harm if they prevented it being read a second time on this occasion.

MR. NEWDEGATE said, that in voting for the second reading of the Bill he did so on the distinct understanding that the hon. Member who had charge of it would accede to the proposal of his hon. Friend that the Bill should be not only modified by the Committee, but should be rendered permissive. They had it in evidence that the great majority of the people of Liverpool desired the passing of some such Bill ; and when it was admitted that they had legislated in such a manner as to have brought on the country evils which had been complained of before that House, he thought they were justified in proposing for adoption the propositions that were contained in this Act. He would therefore support the second reading of the Bill, with a view of rendering it permissive, in order that the people of Liverpool and other places might relieve themselves from the evils which had sprung out of the previous legislation of the House. He contended that the issue of licences to beer-houses had led to a most unwholesome state of competition in the trade, and had been the means of spreading great evil among the labouring community. He thought, therefore, the House would do great injustice if they determined at once to reject the second reading of the Bill.

[The hon. Members who now addressed the House spoke amid continuous cries for a division, and were consequently very imperfectly heard.]

SIR HUGH CAIRNS said, he always understood that in voting for the second reading of a Bill they voted for its preamble. But a great part of the argument of the hon. Baronet the Member for Finsbury (Sir Morton Peto) was founded, not on the preamble, but on the clauses of the Bill. But the preamble of the Bill was to the effect that the provisions of the law now in force having been found to be attended with great public benefit, it was important to extend them. He was one of those who thought the provisions of the existing law could be beneficially extended, and it was with that view he should vote for the second reading.

SIR JOHN SHELLEY said, the only part of the Bill which he approved was its non-permissive character. If they were to have prohibition, let it be by the legislation of Queen, Lords, and Commons, binding the whole country; and let them not leave the people to be dealt with in any particular place by the decisions of, perhaps, a small majority.

MR. HUNT supported the second reading, for the purpose of extending the restrictions now in force.

MR. H. B. SHERIDAN said, if the Bill were really permissive, he would vote for it.

MR. GATHORNE HARDY said, he was about to vote against the second reading, because he felt that the Bill, if passed, would throw an impediment in the way of the only legislation which he wished to see carried into effect—namely, the revision of the licensing system. Their object should be to prevent drunkenness, not only on Sundays, but on every other day, and that could only be done by improving the character of the houses licensed to sell liquors.

Mr. SOMES did not consider the Bill perfect, and should be ready to attend to any suggestions that might be made for its improvement in Committee.

Mr. AYRTON desired to get a distinct answer from the hon. Gentleman to the question, whether he considered the entire closing of public-houses the principle of his Bill, or whether, if the Bill were read a second time, he himself would amend it by making it permissive?

Mr. SOMES said he should stand by the preamble of the Bill. He could not pledge himself to making it permissive.

Lord HARRY VANE said that the hon. and learned Gentleman (Sir Hugh Cairns) had put a false issue before the House. It was perfectly clear, from the title of the Bill, that it was absolute—that title was, "A Bill for Closing Public-houses on Sunday."

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 103; Noes 278: Majority 175.

Words *added.*

Main Question, as amended, put, and *agreed to*:—Bill *put off* for three months.

FISHERIES (IRELAND) BILL.

[BILL 137.] SECOND READING.

Order for Second Reading read.

Sir ROBERT PEEL, in moving the second reading of this Bill, said, he hoped the House, at this late hour (half past five), would excuse him making a lengthened statement; and in the event of its arriving at the Committee, he would endeavour to obtain a morning sitting in the course of next week for the careful examination of the Bill.

Mr. M'MAHON hoped the right hon. Baronet would fix the morning sitting for Tuesday.

Sir ROBERT PEEL said, he had no objection.

Bill read 2°, and *committed* for *Monday* next.

WAYS AND MEANS.—COMMITTEE.

Ways and Means *considered* in Committee.

(In the Committee.)

On the Motion of The Chancellor of the Exchequer it was *resolved,*

That, in lieu of the Duty now chargeable on a Victualler's Occasional Licence specified in Schedule (B) of the Act passed in the last Session of Parliament, chapter 22, there shall be charged and paid the following Duty (that is to say):

For and upon every single Occasional Licence to be granted to any person who shall be duly authorized to keep a common inn, alehouse, or victualling house, and licensed to sell therein beer, spirits, wine, or tobacco, to sell the like articles for which he shall be so licensed at any such other place, and for and during such space or period of time not exceeding six days, as shall be specified in such Occasional Licence, the sum of two shillings and sixpence for every day so specified as aforesaid for which the same shall be granted:

But when more than one such Occasional Licence shall be granted for times in immediate succession, or only separated by the intervention of Sundays and holidays, then the price of every such Licence following the first, and for a number of days not exceeding six, shall be ten shillings.

House *resumed.*

Resolution to be reported *To-morrow;* Committee to sit again on *Friday.*

REGIMENTAL DEBTS, ETC. BILL.

On Motion of The Marquess of Hartington, Bill to consolidate and amend the Acts relating to the payment of Regimental Debts, and the distribution of the effects of Officers and Soldiers in case of death, and to make provision for the cases of Desertion and Insanity, and other cases, *ordered* to be brought in by The Marquess of Hartington and The Judge Advocate.

Bill *presented,* and read 1°. [Bill 149.]

STIPENDIARY MAGISTRATES BILL.

Bill to enable Cities, Towns, and Boroughs of twenty-five thousand inhabitants and upwards to appoint Stipendiary Magistrates, *presented,* and read 1°. [Bill 150.]

House adjourned at a quarter
before Six o'clock.

HOUSE OF LORDS,

Thursday, June 4, 1863.

TELEGRAPHS BILL—(No. 86.)

Order of the Day for the House to be put into Committee on, read, and *discharged;* and Bill *referred* to a Select Committee: The Lords following were named of the Committee; the Committee to meet on *Thursday* next, at one o'Clock, and to appoint their own Chairman:

D. Richmond.
M. Bath.
Ld. Steward.
E. Shrewsbury.
E. Devon.
E. Romney.
E. Stradbroke.
L. Blantyre.
L. Wodehouse.
L. Redesdale.
L. Somerhill.
L. Portman.
L. Stanley of Alderley.
L. Lyveden.

House adjourned at a quarter past
Five o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, June 4, 1863.

MINUTES.]—Select Committee—Thames Conservancy, Mr. Hankey *added**.

Supply—*considered* in Committee—Civil Service Estimates.

Ways and Means—Resolution (June 3) *reported*, and *agreed to**.

Public Bills — *Second Reading* — Removal of Irish Poor* [Mr. Villiers] [Bill 140]; Officers of Royal Naval Reserve* [Bill 142], *Debate adjourned;* Passengers Act Amendment* [Bill 143]; Vaccination (Scotland)* [Bill 139]; Court of Session (Scotland)* [Bill 116].

Select Committee—Report — Local Government Supplemental* [Bill 84, 151].

Committee—Volunteers [Bill 108]; African Slave Trade Treaty* [Bill 144]; Watchmen in Towns (Ireland) [Bill 102]; Execution of Decrees (Ireland)* [Bill 125].

Report—Volunteers [Bill 152]; African Slave Trade Treaty*; Execution of Decrees (Ireland)* [Bill 153]; Watchmen in Towns (Ireland).

Considered as amended—Inland Revenue* [Bill 145], *re-committed*, and *reported;* Drainage and Improvement of Land (Ireland) [Bill 106]; District Parochial Churches (Ireland)* [Bill 122].

AFFAIRS OF ITALY.—EXPLANATION.

Sir GEORGE BOWYER: I beg, Sir, to claim the attention of the House for a few moments, on a personal matter. It will be in the recollection of the House that in a speech which I recently delivered on the affairs of Italy I gave an account of a conversation which took place between Mr. Odo Russell and the French General in command at Rome. It is my duty to inform the House that I have received a letter from Mr. Odo Russell, in which he states that the account I gave of that conversation is inaccurate.

Mr. HADFIELD complained, that the statement made by the hon. Member was bare and unintelligible. [" Order, order!"]

CHINA—LIEUTENANT TINLING.

QUESTION.

Colonel SYKES rose to ask the Secretary to the Admiralty, Whether, consequent upon the communication made by him to the House on the 1st of June, respecting Captain Dew's Report of the death of Lieutenant Tinling, of Her Majesty's ship *Encounter*, under the walls of Shou-hing, it is the intention of the Admiralty to call upon the Admiral commanding in the China Seas, for a special Report of the circumstances which led Captain Dew and Lieutenant Tinling to be engaged in two unsuccessful assaults upon Shou-hing, and whose authority they were engaged in the siege; whether Captain Dew was held responsible for the 8-inch howitzer lent by General Staveley to aid in the siege of Shou-hing, and generally to report what foundation there is for the statements in the Shanghai newspapers that the Paymaster of the *Encounter* was dangerously injured by an explosion of gunpowder at Shou-hing, and that after the repulse of the second assault at Shou-hing, Captain Dew visited Shanghai to obtain supplies of siege ammunition, and, by his agency, induced a body of European adventurers of all nations to proceed to Shou-hing as military volunteers, whose indiscipline is inflicting great misery upon the peasantry? The statements embraced in the Question were not his own, but had appeared in a Shanghai newspaper.

Lord CLARENCE PAGET replied, that he could assure the hon. and gallant Gentleman that he should be very happy to give him any information that lay in his power with regard to the matters in question. The Government expected to receive a full Report from the Commander in Chief on the Chinese station—Admiral Kuper—in reference to the circumstances connected with the death of Lieutenant Tinling, who was a young and meritorious officer. He might add, that the Admiralty had no knowledge of an 8-inch howitzer, or any other gun, having been lent to a Chinese force. He might, moreover, state that he had, with the view of giving the hon. and gallant Gentleman every information he could on the subject, applied to the War Office, and that he had been informed by them that they had received no communication whatsoever, either official or private, to the effect that a gun had been lent to a Chinese force. It was not, he might further observe, the intention of the Admiralty to give any orders at present on the subject; they would wait for Admiral Kuper's Report.

THE INTERNATIONAL EXHIBITION BUILDING.—QUESTION.

Mr. GREGORY said, he would beg to ask the First Lord of the Treasury, Whether a detailed statement of the expense to be incurred in altering, repairing, completing and rendering beautiful the International Exhibition Building will be printed and laid before the House, previous to a Vote of £485,000 being taken as a first expense connected with the purchase of that Building?

Viscount PALMERSTON: Sir, there is no objection to lay before the House details of the sum named. With regard to the other points, it will be my duty to explain them when I propose the Vote.

Mr. GREGORY: Shall we have those details presented before the explanation?

Viscount PALMERSTON: They will be laid on the table in the course of to-morrow.

INDIAN MEDICAL SERVICE.

QUESTION.

Earl JERMYN said, he wished to ask the Secretary of State for India, When the details of the amalgamation of the Medical Service of the late East India Company with that of the Royal Service are to be published, what is the reason of the delay, and whether any fresh proposals have been originated; and if so, of what nature?

Sir CHARLES WOOD said, in reply, that the papers containing the proposals of the Indian Government had been sent to the War Office some time ago. Until they received an answer from that Office, he could not answer the Question of the noble Lord more definitely.

SEIZURE OF THE "WILL O' THE WISP."

QUESTION.

Mr. CRAWFORD said, he wished to ask the Under Secretary of State for Foreign Affairs, If any claim has been made upon the Government of the United States of America for compensation to the owners of the schooner *Will o' the Wisp*, seized in Mexican waters at Matamoras, by the United States cruiser *Montgomery*, on the 3rd day of June, 1862, and afterwards released by decision of the Prize Court at Key West, on the 19th day of July following?

Mr. LAYARD:—In answer to the Question of my hon. Friend, I beg to point out to him that the Question involves a statement which after all has not been proved, and is liable to great doubt; that is, that the vessel was seized in Mexican waters. The case came before the Prize Court at Key West, and the court decided that the vessel should be released; but they also decided that there were sufficient grounds of suspicion to warrant the seizure, and they consequently refused to give damages or costs. Her Majesty's Government then ordered representations to be made to the United States Government to the effect, that if damages were not given, at least costs should be awarded to the owners of the vessel. The United States Government replied—and he was informed that they were right—that until the owners had exhausted all legal means to obtain costs, the British Government could not fairly make any demand on the United States Government. The usual course is to appeal to the Supreme Court of the United States, and that appeal has not yet been made by the owners; who, however, I presume, will make such appeal. When that appeal is decided, it will remain for Her Majesty's Government to say what course shall be taken.

Mr. CRAWFORD: I am informed that the vessel was released because she was taken in Mexican waters.

Mr. LAYARD: The hon. Member is, I think, mistaken. The vessel was seized because she was suspected of conveying munitions of war; and the Court decided that the gunpowder on board did not, under the circumstances, come under that character.

THE INTERNATIONAL EXHIBITION BUILDING.—QUESTION.

Mr. CAVENDISH BENTINCK said, he would beg to ask the First Lord of the Treasury, Whether his attention has been called to a Design prepared by Captain Fowke for the alteration or completion of the Exhibition Building; whether Her Majesty's Government approve generally of such Design; and, if so, whether the cost of the same is included in the Estimate now laid upon the Table of the House; and if no design has yet been approved of, whether it is the intention of Her Majesty's Government to employ Captain Fowke as the Architect of the new Building?

Viscount PALMERSTON: No design has yet been approved of, and no decision come to as to who will be employed to make the changes in order to adapt the building to the purposes for which it is intended.

HERRING FISHERIES IN SCOTLAND.

QUESTION.

Mr. FINLAY said, he wished to ask the Lord Advocate whether he intends to propose a measure for legalizing the use of trawl or seine nets for catching herrings in Scotland?

The LORD ADVOCATE: Sir, in order that time may be given for the consideration of the Report, it is not proposed to legislate this year on the subject.

HOLYHEAD HARBOUR COMMITTEE.

PERSONAL EXPLANATIONS.

Mr. TOLLEMACHE: I wish, Sir, to claim the attention of the House while I put to the right hon. Gentleman the Chancellor of the Exchequer a question of which I have given him private notice. In doing so, it is perhaps unnecessary that I should assure the House I am actuated by no party feeling against the right hon. Gentleman, for whom I have a great personal regard; but as the matter is one personal to myself, I trust I may claim the indulgence of the House for a few moments. I was unavoidably absent from the House on Monday evening, when the Select Committee on Holyhead Harbour was nominated, having been compelled to leave town on Friday. I did not return until late on Monday night. Yesterday I was informed, that when the nomination of the Committee was discussed, the right hon. Gentleman made some remarks by no means complimentary to the proposed Committee. I was told that he stated, or, if not, distinctly implied, that the Committee was not fairly constituted—indeed, so unfairly, that its decision, whatever it might be, ought not to have and therefore would not have any weight with the Government. Now, I beg to assure him that he is altogether mistaken, at all events so far as I am concerned. I have no personal interests, nor have, as far as I am aware, any of my constituents an interest in this matter—though it is perfectly true that the Holyhead line passes through Cheshire, as it does through Middlesex. My mind is perfectly free and unbiassed on the subject. I should never have consented to serve on the Committee, did I not feel perfectly satisfied that I could exercise the freest and most impartial judgment on any question which might be brought under its consideration. I now beg to ask the right hon. Gentleman whether, in reference to what I have said, I have been correctly informed; whether he is satisfied with the statement I have made; and if not, whether he will take the straightforward course of moving that I be discharged from attendance on the Committee? If he does make that Motion, I promise him I will second him.

Colonel PENNANT: Before the right hon. Gentleman replies, I wish to make to him a similar application on my own part. When asked by my hon. and gallant Friend the Member for the Queen's County (Colonel Dunne) whether I would serve on the Committee, my answer was that I would much rather not; but when he represented to me, that being acquainted with the locality in question, it was desirable I should do so, I consented to be nominated one of its members. I may add that I have no interest whatsoever in Holyhead. I own no property in the neighbourhood. I do not possess a single acre of land in the Island of Anglesey, and I have no interest in the line of railway which runs through it. I am as independent, in regard to this question, as anybody can be. I have been Member for Carnarvonshire for twenty-two years, and in any local proceedings in which I have taken a part it has been rather against Holyhead than in its favour.

The CHANCELLOR of the EXCHEQUER: I think the hon. Member for Cheshire (Mr. Tollemache) labours under a misapprehension when he refers to the remarks which I made on a former occasion as having been of a personal character. Those hon. Gentlemen who were present on Monday night, when the discussion on the nomination of the Holyhead Committee took place, will bear me out when I say that nothing of a personal nature occurred; or if there did, it consisted in remarks made by two or three hon. Members in censuring myself.

"Si rixa est ubi tu pulsas, ego vapulo tantum."

I was placed in that predicament. My hon. Friend, I may add, has been informed partly right and partly wrong. What I stated was, that in my opinion, and in the opinion of the Government, the Committee had not been impartially constituted. I referred to the position occupied by many hon. Members who sit on it; but I at the same time very carefully guarded myself against being supposed to convey that there was a single Member placed upon the Committee against whom, in his individual capacity or on personal grounds, the slightest objection could be urged. It is invidious to draw distinctions; but if there are any two Gentlemen in whose impartiality I feel confidence, they are my two hon. Friends who have addressed the House. If my hon. Friend will himself study the list of the Committee, and likewise the discussion which took place on Holyhead Harbour, he will sufficiently understand why I should have felt it necessary to record that opinion; but I beg to assure him that he was entirely misinformed by any one who stated to him that I ever presumed to say that the decision of that Committee, whatever it might be, would meet with no attention from the Government. I said nothing of the kind. It was a construction put by an hon. Friend near me on what I had said, and so much did I resent it that I felt compelled to interrupt him and say that I had said nothing of the kind and that such an idea had never entered my mind.

MR. HERBERT: Sir, I happened to be present on the occasion referred to, and I am able to state—["Order, order!"]

MR. SPEAKER: The matter brought before the House is one of personal explanation; and the two hon. Gentlemen having spoken, and the right hon. Gentleman who was personally referred to having given some explanation in reply to their remarks, it is not competent for the hon. Member to continue the discussion.

MR. HERBERT: I will conclude with a Motion for the adjournment of the House. I do not wish to detain the House long; but having been present on the occasion referred to, and having listened carefully to what my right hon. Friend said, I must say that never since I have had the honour of a seat in this House have I heard anything said more calculated to wound the personal feelings of the gentlemen concerned, or even, I may say, more insulting to them. When the right hon. Gentleman says that he was obliged, in consequence of the constitution of the Committee, to make the remarks that he did, I entirely disagree with him in the course he then took; and many hon. Members, of high standing in this House, whom I have consulted, have told me that I am entirely right in that opinion. I believe, that when the Government cannot make those arrangements which are usual with the Member who moves a Committee, it is the universal practice for both sides to give notice of the names of those whom they wish to be on the Committee, and to fight the matter in a fair and open manner in this House. Instead of that, what does the right hon. Gentleman do? He gets up and says that the Government acquiesce in the Committee proposed; and, although he did not actually use the words that the decision of that Committee would not be attended to by the Government, he did state that it was a most unfairly-constituted Committee; and certainly the only inference which any hon. Member would draw from the words which the right hon. Gentleman used was that which has been drawn from them. I certainly never listened with greater regret to any words than I did to those which on that occasion fell from my right hon. Friend. I move the adjournment of the House.

MR. HENNESSY seconded the adjournment.

Motion made, and Question proposed, "That the House do now adjourn."

THE CHANCELLOR OF THE EXCHEQUER: It appears to me that my right hon. Friend uses very strong language when he states that words fell from me which were insulting to hon. Members. I am not aware that that is a phrase which falls within the usual Parliamentary courtesy. If my right hon. Friend did hear me use words insulting to him or to any hon. Gentleman, it was his duty to take notice of them at the time, or else to have remained silent now. Acting, perhaps, under some momentary warmth, he has used expressions which he will regret hereafter. It was also, I think, due to the House, that if words used in a debate were to be described as insulting to hon. Members, those words should be quoted.

MR. HERBERT: I am ready to quote them. ["Quote them."]

MR. SPEAKER: It is a well established rule of this House, that if exception be taken to words spoken in debate, that exception must be taken at the time they are uttered. It is now totally past the time at which reference can be made to the general subject of the debate now in question. Two hon. Members expressed a wish, upon grounds of personal explanation, to refer to what had taken place. The right hon. Gentleman also said that he felt personally in the matter, in consequence of allusion to words supposed to have then fallen from him, and upon that ground he made an appeal to the House to be heard. But to go back now to the general subject of a debate which took place some evenings ago, upon the Question of Adjournment of the House, would be entirely contrary to the rules of the House.

THE CHANCELLOR OF THE EXCHEQUER: If these words cannot be quoted, I would say thus much out of respect and deference to my right hon. Friend, notwithstanding what he has said, quite as much as on my own behalf. At this moment I have not the smallest idea what they were—not the smallest in the world; but I entirely disclaim the intention of using any words which should be insulting or painful to anybody. I did think it my duty to state, that in the opinion of the Government that Committee was not impartially constituted. That was the whole length to which I desired to go. Into my particular reasons I was careful not to enter further than to point to what is notorious to every man, and discreditable and dishonourable to no man. The intention of giving pain was entirely absent from my mind: if it has been caused, especially to my right hon. Friend, I regret it extremely; but I have not the smallest idea what can be the words alluded to.

COLONEL FRENCH: The very words which have now fallen from the right hon. Gentleman are of themselves offensive. He says that the Committee is not impartially constituted. What does he mean by that? Is it because it is a different Committee from what is generally proposed by the Government, and one which will not be obedient to their orders — a Committee with brains and a knowledge of the subject?

MR. DISRAELI: I do not wish to enter into the personal controversy, but in vindication of the proper management of the business of this House I think it right to say that it is not the duty of a Government to consent to the appointment of a Committee which they at the same time announce that they believe is not an impartially constituted Committee. If that was the opinion of the Government, they ought to have opposed the appointment of the Committee so proposed.

MR. HENNESSY: This is a far more important question than the right hon. Gentleman and the Government seem to imagine. I took the liberty of consulting some experienced Members of the House about calling attention to it as a question of order, and I now beg to do so. The House unanimously decided that a certain Committee was one which the House ought to appoint, and we are now told by a Minister that it is not an impartially-constituted Committee. I believe that it is a well-established rule of the House that no Member may impugn a decision of the House unless he is prepared to make a Motion to rescind it. We have heard the right hon. Gentleman telling us that this is not an impartially-constituted Committee. I put it to you, Sir, as a question of order, whether he is at liberty to make that statement without announcing that the Government intend to move to rescind the Resolution for the appointment of the Committee.

MR. BRIGHT: I suppose it is because this is a question half Welsh and half Irish that so much excitement has been created about it. I do not know much about the Committee or about Holyhead, but from the feeling that has been excited I have a great suspicion that the Chancellor of the Exchequer was not far wrong. I must ask hon. Gentlemen and my hon. Friend below me (Colonel French) not to get warm about a statement such as that made by the Chancellor of the Exchequer. I have known Governments—I do not know whether this, but certainly former Governments, and I think this — ask the House to agree to Committees which I thought were fair and impartial, and I have heard Members on both sides of the House get up and protest against their appointment, and tell the Government that they were merely appointing a packed Committee to support some conclusion at which they had already arrived. Well, such things as this are said frequently both from the Treasury Bench and from both sides of the House; and therefore I am, I confess, somewhat astonished at the angry tone which has been taken, especially by the right hon. Gentleman on this side (Mr. H. Herbert). What is meant by a Committee not being strictly impartial is, not that any hon. Member goes into the Committee with the view of doing something wrong, but that a large proportion —a majority it may be—of the Committee have opinions so decided that we know exactly what it will do before it goes upstairs to discuss the question. I have read what the right hon. Gentleman said as reported in the papers; I was not here to hear it, but I did not gather that he had transgressed any rule of the House, or had done anything more than I have heard and seen done many times since I have had a seat in this House.

LORD JOHN MANNERS: —I think that the hon. Member for Birmingham has totally misapprehended the point of the objection. He tells us that he remembers Committees proposed to be appointed commented upon as partial in their constitution. I have not the slightest doubt that such has been the case; but what has been the practice is this, that when it occurs to an hon. Member that the proposed constitution of a Committee is partial, he gets up in his place, and expresses that opinion, and divides the House on the Question that names shall be rejected and others inserted, which will, in his opinion, make it more impartial.

Mr. SPEAKER: Beyond the explanations on personal grounds of the hon. Members who felt it necessary to make explanations, the whole of this proceeding has been one which is contrary to the rules of this House. If any observations were to be made on the composition of the Committee, or on words spoken with regard to it, that should have been done when the words were spoken and the Committee constituted. What I understood the Chancellor of the Exchequer to say was, that he did at that time make use of the expression that he did not think the Committee impartially constituted. It was competent to the Chancellor of the Exchequer to express that opinion with regard to the names which were then placed before the House, with regard either to the balance of parties or to the general constitution of the Committee. I must now request, for the sake of order, that this conversation may not be prolonged.

Lord ROBERT CECIL: I must rise to order. ["Order!" and "Hear, hear!"] I think, Sir, that you have misunderstood the point of the objection taken by the hon. Gentleman (Mr. Hennessy) who sits behind me. It was not that the Chancellor of the Exchequer, on the occasion of moving the Committee, condemned it as not impartially constituted; but that he has this evening deliberately repeated it as his opinion that this Committee, which has received the sanction of this House, is, notwithstanding, not an impartially-constituted Committee. The point which was submitted respectfully for your decision, Sir, was whether it is competent for a Minister of the Crown, when a Committee has been appointed by the unanimous sanction of the House, to cast a slur upon it, and say that it is not impartially constituted.

Mr. SPEAKER: I do not interpret the words of the Chancellor of the Exchequer in the manner in which the noble Lord has done. It does not appear to me that anything which has fallen from him is irregular.

The CHANCELLOR of the EXCHEQUER: My intention was simply to recite, that I might not appear disingenuous, what I said on a former occasion.

Motion, by leave, *withdrawn.*

Lord John Manners

VOLUNTEERS BILL.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. BAGWELL rose to move the Amendment of which he had given notice—

> "That, in the opinion of this House, it is impolitic any longer to exclude Ireland from the operation of the Volunteer system, and unjust, should such exclusion continue, to tax Ireland for the support of English Volunteers."

It was not his intention to offer any opposition to the Bill; the measure was unobjectionable, but a sting lurked in the 52nd clause, under which this Act was not to extend to Ireland. He would endeavour to show that this exclusion of Ireland was unjust as well on social as on political grounds. Every person who had made Ireland his study must feel that the great evil of Ireland was the want of opportunities for social intercourse between the different classes of the people, and that wherever these had been afforded—as in the case of the Poor Law Boards—the happiest results had followed. Englishmen could hardly feel the difficulty. Now, the class of people from whom Volunteers would be taken would, as in the case of England, be the inhabitants of towns and large villages, and no one could question the beneficial influence in England of the intercourse produced by that association. It was idle to say that the people of Ireland were disloyal, for this was the very class of the Irish people who had come forward to express their sympathies with Her Majesty on her recent bereavement, and again sent addresses to their future Sovereign conveying their congratulations on his marriage. Surely, then, this was a class eminently loyal and trustworthy. It was ascertained that the population of Ireland was about 5,798,000, or about the same as Scotland, Wales, and Yorkshire. Now, what would be said if there was a clause to exclude Scotland, Yorkshire, and Wales from the operation of the Bill? No Minister who asked such a thing could keep his place. Then, on political grounds also Ireland had a right to the advantages of the system. Almost the last letter written by Edmund Burke had reference to the condition of Ireland, and contained the following passage—

> "There is no hope for the body of the people of Ireland as long as those who are in power with

you shall make it the great object of their policy to propagate an opinion on this side of the water that the mass of their countrymen are not to be trusted by their Government."

Further on in the same letter he said—

"My poor opinion is that the closest connection between Great Britain and Ireland is essential to the well-being, I had almost said to the very being, of the two kingdoms."

On the 11th of April 1799, after the death of Burke, the House of Lords, in their Address to the King, stated—

"We entertain a firm persuasion that a complete and entire union between Great Britain and Ireland, founded on equal and liberal principles, on the similarity of laws, constitution, and government, and on a sense of mutual interests and affections, by promoting the security, wealth, and commerce of the respective kingdoms, and by allaying the distractions which have unhappily prevailed in Ireland, must afford fresh means of opposing at all times an effectual resistance to the destructive projects of our foreign and domestic enemies, and must tend to confirm and augment the stability, power, and resources of the nation."

How had these brave, honest words been borne out? As long as a different stamp was put upon Ireland, as long as the differences proposed in the present Bill were maintained, and Ireland was not treated as an integral part of the United Kingdom, so long Ireland would be discontented, and her people unhappy, and, instead of being the right arm of this country in the hour of danger, she would be a source of weakness and uneasiness. Sir Robert Peel, in his speech announcing the resignation of Ministers on the 29th of June 1846, used these remarkable words—

"There should be a real and substantial equality of political and civil rights, so that no person viewing Ireland with an unbiassed eye, and comparing the civil franchises of Ireland with those of England or of Scotland, shall be able to say with truth that a different rule has been adopted towards Ireland, and that on account of hostility, or suspicion, or distrust, civil freedom is there curtailed and mutilated; that is what I mean by equality in legislating for Ireland in respect to civil franchise and political rights." [3 *Hansard*, lxxxvii. 1044.

The noble Lord the Under Secretary for War (the Marquess of Hartington), who had charge of this Bill, when he went to Chatsworth, could surround himself with friends and dependants; but if he crossed the Channel—and he had good Tipperary blood in his veins—he would find there friends as sincere and adherents as loyal as any that he prized in England, and he would ask whether they were fairly treated by this exclusion. Unfortunately, the system pursued by successive English Governments towards Ireland had been *Divide et impera;* Protestant had been set against Catholic, North against South, and the worst passions of each inflamed against the other. In March 1829, upon the question of Catholic Emancipation, the following words were used by the noble Lord now at the head of the Government:—

"Under a pure despotism a people may be contented, because all are slaves alike; but those who under a free Government are refused equal participation must be discontented. Everywhere they meet men of the same class, of the same rank, of the same talents, of the same attainments, as themselves, enjoying privileges and advantages from which they are debarred. What must be the inward feelings of such men? and could we be surprised if we found, that while we extorted our oaths of allegiance from their lips, their vows of abjuration should stand recorded on their hearts?" [2 *Hansard*, xx. 1248.]

These were noble words of the noble Lord; but the words spoken then were equally applicable now. He trusted the noble Lord would recognise his own words, and that the lapse of more than thirty years had not chilled his heart. He trusted, at all events, that the House would force the Government to do this act of justice, and that Ireland would be made what she ought to be, the right arm of England. He begged to move, "That, in the opinion of this House, it is impolitic any longer to exclude Ireland from the operation of the Volunteer system, and unjust, should such exclusion continue, to tax Ireland for the support of English Volunteers."

COLONEL FRENCH seconded the Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is impolitic any longer to exclude Ireland from the operation of the Volunteer system, and unjust, should such exclusion continue, to tax Ireland for the support of English Volunteers,"—(*Mr. Bagwell,*)

—instead thereof.

MAJOR KNOX expressed his surprise that an Irish Member who had held a high place in Her Majesty's Government should have made such a proposition. Without wishing to cast any imputation on the hon. Gentleman, he must say that he looked upon it only as a piece of electioneering tactics. At a time when so much dissatisfaction existed in Ireland, was it fit to make this proposal? Would the hon. Gentleman tell him that the men whom he proposed to arm would take the oath of allegiance to the Queen? [Colonel FRENCH: Yes, they would.] He knew the Protestants of the North of Ireland, if wanted, would, as in 1848, come forward to defend their own rights and those of the Queen; but it would not be safe to place arms in the hands in which the proposition of the hon. Gentleman would place them. If that were done, the people of Ireland would be in much the same position as the people of the United States were now; the Protestants of the North and the Catholics of the South would turn their arms against one another. If only the Act would permit the English Volunteers to visit Ireland, the proposition would be warmly received.

SIR DE LACY EVANS said, he had heard the remarks of the hon. and gallant Gentleman (Major Knox) with surprise and regret, for he drew a picture of Ireland for which he (Sir De Lacy Evans) hoped there was no foundation. The hon. and gallant Gentleman represented one part of Ireland as hostile to another as the Northern and Southern States in America; but there was, he believed, no foundation for any such statement. The hon. and gallant Member seemed to forget that nobody could be received as a Volunteer unless he took the oath of allegiance. In the very temperate statement made by his hon. Friend (Mr. Bagwell) it was shown that within a very recent period there had been manifestations of loyalty and respect to the Throne in Ireland; and were they to be told that it would be highly improper and very dangerous to intrust arms to a large portion of the Irish people? His hon. Friend quoted the opinions of great statesmen, and, among others, an opinion of the noble Lord at the head of the Government, not at all in accord with the present Bill. But there was another authority not inferior, and, perhaps, by gentlemen on the other side considered superior to the authority of the noble Lord, and that was the authority of the late Duke of Wellington. If any person would look into the official letters of Sir Arthur Wellesley, when Secretary for Ireland in 1807—a time when, unfortunately, in consequence of the recent rebellion, a greater distrust of the feelings of the Irish people prevailed—he would find that Sir Arthur Wellesley spoke thus on this very subject of Volunteers:—"Some people say that the people of Ireland are not to be trusted. Now, I do not know that there is any truth in that statement, and I do not believe it." These were the words of a man who was responsible for the safety of this country and the peace of Ireland, a man of undoubted sagacity in political matters. Now, this exclusion of Ireland from the Volunteer system was not only insulting—it was inequitable also, because Ireland was called upon to pay a portion of her taxes for the maintenance of the Volunteers in England and Scotland. Surely, there ought to be some positive reason given by Government for inflicting this wrong. He hoped that the matter would be re-considered and that the House would manifest its feeling on the side of the Irish people.

THE MARQUESS OF HARTINGTON said, it would be his duty to oppose the Motion of the hon. Gentleman (Mr. Bagwell), but not upon the grounds given by the hon. and gallant Member for Dungannon (Major Knox). Three years ago his noble Friend at the head of the Government explained the reasons for which he did not feel justified to recommend Her Majesty to avail herself of the patriotic offers from that country. He said, that it was not by way of insult to the Irish people, nor from want of confidence in their loyalty, that he was disinclined to accept their services as Volunteers; that he had no fear whatever, in case of invasion, that our Irish fellow-subjects, whether Catholics or Protestants, would be wanting in their duty. But a specific reason against raising Volunteers in Ireland was stated by his noble Friend, and it was this—that owing, unfortunately, to strong religious animosities in some parts of Ireland it was very much to be apprehended that the formation of Volunteer corps in that country would assume a religious character, and would not improbably lead to most serious collisions. Nor was that an unfounded supposition. Even in England, where happily religious differences had never reached so great a height, a Volunteer corps in Liverpool had assumed to a certain extent the organization of an Orange Society, and the consequence was that on one occasion a collision, fortunately not attended with loss of life, but in which severe injuries were inflicted, took place between that regiment and a militia regiment in which there were very many Irish Catholics. It was impossible for any man at all acquainted with the state of religious feeling in Ireland not to fear some such result, and it was that which prevented his noble Friend from accepting the services of Volunteers in Ireland. It was not denied that the English Volunteers were available to a certain extent for the defence of Ireland, and that any expenditure upon them was profitable to that country also. ("Oh!") The hon. Member said "Oh!" But, in case of invasion, the presence of so many Volunteer regiments in England would enable the Government to release a certain number of troops of the line for the defence of Ireland. Hitherto the English Volunteers had received almost no assistance from the national exchequer. The expenditure not only of time and labour, but also of money, which had fallen upon private individuals, amounted to a very heavy tax indeed; and instead of a complaint of Irish funds being devoted to the support of English Volunteers, if hon. Members insisted on looking at the matter in that point of view, they ought rather to congratulate themselves that Ireland and Irishmen had been saved from the very heavy tax of the Volunteer movement. It was not on the ground which had been urged by the hon. Member, or because the Government had any fear of want of loyalty on the part of the Irish nation, that he opposed this Amendment, but on account of the religious animosities which unfortunately prevailed in that country. Her Majesty's Government thought it undesirable to place arms in the hands of the people when a law existed under which the Lord Lieutenant, by a proclamation of a county or district might deprive them of those arms next day. On these grounds he must oppose the Amendment of the hon. Gentleman.

COLONEL FRENCH said, he could not accept the quarrel in a regiment at Liverpool as a reason why Irishmen should not be allowed to protect their lives and property. He believed the noble Marquis would find that there were many more Englishmen than Irishmen engaged in that riot. He believed that upon all ordinary questions Her Majesty's Government were men of sense and wisdom; but it was once remarked by Sydney Smith that John Bull seemed to lose all his senses the moment the word "Ireland" was pronounced, and that it made him act with the ferocity of a savage and the fatuity of an idiot. He would remind the noble Lord at the head of the Government that the Volunteeer movement was no child of his. The executive Government, on the contrary, strongly opposed the formation of these bodies originally—or at any rate they threw cold water upon the movement—until sense of danger and the determination of the people to protect themselves overcame the noble Lord's scruples, and enforced the recognition of the Volunteers; and now the noble Lord seemed disposed, in his speeches in that House and in the country, to take a little more credit than was fairly due either to himself or his Government. In England the Volunteer movement, in the opinion of the noble Lord, was one of the noblest spectacles of prudence and patriotism of the present day; but when he came to Ireland, he seemed to be of opinion that Irishmen had neither prudence, patriotism, nor common sense. The Government would not trust an Irishman with arms, being apparently of opinion that he would shoot his neighbour with them. It was only when there was real danger that the courage and patriotism of Ireland were recognized. It was the worst policy in the world, and one more calculated than anything else to produce discontent, to maintain so broad a distinction as they did in the legislation for England and Ireland. They who knew the country—and unfortunately the noble Lord was not able to consult any one who did—could tell the noble Lord, however, that on the loyalty and discretion of Ireland the Government might implicitly rely. He appealed to the House to support the Amendment of his hon. Friend, and he trusted it would appear, that if a suspicion of Irishmen prevailed in the Government, it had not gone so far as to affect that House.

VISCOUNT PALMERSTON: Really, Sir, I have very little to say after the short but conclusive statement of my noble Friend (the Marquess of Hartington). My hon. Friend who has moved this Resolution seems to be of opinion that Her Majesty's Government have not accepted the offers which have been made from Ireland for the formation of Volunteer corps because they distrust the loyalty of the people. Sir, we feel no such distrust. My hon. Friend (Mr. Bagwell) speaks for the loyalty of Munster. The hon. and gallant officer opposite (Major Knox) did justice to the loyalty of Ulster. My hon. and gallant Friend (Colonel French) speaks for Connaught, and I beg leave, so far as my local knowledge goes, to confirm his statement. No doubt some hon. Member will also speak for Leinster; and, putting all these testimonies together, no one need question that the Irish are a very loyal and well-disposed people. I know very well that some months ago some very foolish speeches were made, and were followed by a few very foolish riots; but we quite understand the foolish source in which those proceedings originated, and attach no importance to them. I am persuaded that the Irish are as loyal as any nation can be expected to be, and as loyal as most other nations are. I am quite satisfied, that if any occasion should arise which should render it necessary to call upon Irishmen to arm in defence of their country, they would meet that call with the same loyalty and devotion which they have manifested at former periods. Luckily, however, we are not at present in that condition; and I trust that for a long time to come we shall not have occasion to call upon them to arm against a hostile attack. But there is in Ireland one peculiarity which does not equally exist in this country,—namely, that by an unfortunate difference of opinion upon religious questions, there is a tendency to display a national quality which my hon. and gallant Friend the Member for Roscommon thought, we imagined we were deficient in—a national pugnacity. My gallant Friend said we appeared to distrust the pugnacious qualities of Irishmen. So far from calling that quality in question, however, we believe it to be exuberant in Ireland. and we are satisfied, from peculiar circumstances which experience has shown us, that this quality is too apt, without adequate necessity to be called into action. We wish to reserve the pugnacity of Irishmen for the time when some more worthy enemy calls for it to be exemplified. We do not wish them, by way of keeping their hand in, to exercise on each other that admirable quality, which ought to be reserved for a better occasion. That is really the whole matter. I cannot say that we have received any very numerous applications from Ireland, because Irishmen, having the quality of prudence as well as pugnacity, must know that the formation of Volunteer corps is a very heavy expense to those who belong to them; and, as has been very properly stated by my noble Friend, so far from the Irish people being taxed for the maintenance of the existing Volunteer corps, the great burden of those corps falls on the people of Great Britain, who contribute largely and most generously—for great expenses are incurred, not only by the Volunteers themselves, but by gentlemen in the neighbourhood in which each corps is formed. I quite enter into the feelings of my hon. and gallant Friend, who wishes to see the same thing done in Ireland, but I do not admit the force of his quotation. He cited an opinion, expressed before Catholic Emancipation was passed, that there ought to be perfect equality between the two religions in Ireland. We have all come to be of that opinion; but the quotation related to a state of things which happily has long ceased to exist, and has no bearing on the Motion before the House. I trust that the House will not believe that in declining to accept the Amendment we are expressing any doubt of the loyalty of the Irish nation. On the contrary, we feel that loyalty as strongly as the hon. Member can do. But we think that there are peculiar social conditions in that country which would make it unwise to place arms in the hands of those who, having opposite and conflicting opinions, might be led to use those arms in a manner for which they are not intended. If the hon. Gentleman would only carry back his recollection a couple of years, he would be aware of a case in which, arms having been obtained, were used very destructively by two bodies of men, one against the other. We wish for peace in Ireland, internally as well as externally, and therefore we are not inclined to adopt a measure the tendency of which would be, I am afraid, to disturb the peace.

MR. MAGUIRE: Sir, before referring to the speech of the noble Lord at the head of Her Majesty's Government, I would say a word in defence of the motives of my hon. Friend the Member for Clonmel (Mr. Bagwell). I do not believe he was actuated by so unworthy a motive as that attributed to him by the hon. and gallant Member for Dungannon (Major Knox), who accused him of having brought this Motion forward as a kind of claptrap for electioneering purposes. Had he done so, he would, in my mind, have been guilty of an unworthy and dishonourable act; for to bring forward a grave and serious subject with such a motive and for such an object, would, according to my notion of public duty, be an act of that character. But I am certain that the hon. and gallant Member did not desire to convey the charge which his taunt no doubt implied. Sir, when the noble Lord asserted that the Irish were a loyal people, there was a laugh of derision from certain quarters. ["No, no!"] There certainly was from some hon. Gentlemen—not from those who now cry "No, no!" But let me assume, merely for the sake of argument, that disaffection does exist in Ireland—I ask, is not the policy adopted by the Government the very policy most calculated to foster and promote it? That policy is calculated to create, in the mind of a susceptible people, the belief that England regards them with jealousy and distrust, and does not wish to allow them the same rights and privileges which she enjoys herself. I am as anxious as any man in England can be to witness a good feeling existing between the two countries; but I solemnly believe that the policy systematically adopted towards Ireland, of treating her differently from England, does prevent the growth of that feeling of amity which I would desire to see existing, and not only induces discontent, but affords an excuse for disaffection. The noble Lord declares he has confidence in the loyalty of the Irish people, and therefore he will not arm them. The noble Lord is quite ready to accept their services when there is danger, but he will not allow them the means of preparing to meet it. When the enemy are at the gates, or when some hostile ship is in the waters of an Irish harbour, then the noble Lord will rely on the patriotism of the people of Ireland, although he had distrusted them up to that very moment. But how can a people be ready to repel invasion, unless they have previously acquired some military experience, and have learned the use of arms? If they were armed, as the people of this country are armed, then indeed they would be able to defend the honour of their country; but while England is prepared, through her Volunteer organization, to repel any attack from a foreign foe, Ireland must rely for her defence upon the police of that country, and, comparatively speaking, a handful of soldiers. This surely is not the state of things which ought to exist in the different portions of the same Empire. But the noble Lord states that Ireland is excluded from the operation of the Volunteer system—in fact, from the right of carrying arms—not because the people are disloyal, but because there exists in Ireland strong feelings arising from religious differences. If that be the case, then there must be something wrong at bottom; and it is the bounden duty of Government to search into the cause of those religious differences, to do away with the evil, and free Ireland from its baneful effects. Is the Established Church this cause of difference?—is it the ulcer which eats into the heart of the country? If so—and I do not now attempt to enter into the question as to whether it is or it is not—I say the Government ought to deal boldly and fearlessly with what, on the showing of the noble Lord, is the cause of a state of things which justifies Her Majesty's Government in dealing differently with Ireland from what they do with England. I, however, do not believe that there exists such a feeling of animosity between Catholics and Protestants in Ireland as would lead them to assail and massacre each other, if they had arms in their hands. In three of the provinces of Ireland no such feeling prevails, though in Belfast and two or three of the counties of Ulster some such feeling, excited by foolish persons, may be found. For my own city, and for the south of Ireland generally, I can answer that the feeling of animosity which is alleged as a reason why the Irish people should not enjoy the right of freemen, has no existence. I believe, on the contrary, that if the Volunteer system were extended to Ireland, Catholics and Protestants would be found to act together harmoniously under the same flag. With respect to loyalty, I conceive that the best way to make men loyal is, first of all, to govern them wisely and well. Now, everybody knows that there is great misery and distress in Ireland—that her people are suffering from a series of calamities; and I have no hesitation in saying that a good deal of ill-feeling has been created in that country by the persistent denial of its terrible extent. Every sympathy has been expressed for the distress of Lancashire; and I myself joined in the expression of that sympathy; there have been enquiries into distress in Lancashire, and this very evening the President of the Poor Law Board has given notice of a proposal for public works in Lancashire. Now, deeper and more terrible distress has existed in Ireland for the last two or three years; but has there been sympathy expressed for it, or inquiry made into it, or has there been any attempt to apply the same means of relief as have been given, or as are offered, to Lancashire? If there be discontent in Ireland, it is not difficult to trace its causes. There is one way, and a sure way, by which you can promote good feeling and banish discontent, and that is, by governing the people of both countries in the same spirit, and by giving them the advantage of the same laws. Another way to make men loyal is to trust them with arms. I do not believe, from what I know of my countrymen, that any man who took the oath of allegiance as a Volunteer would violate that oath; for, besides the religious obligation which an oath imposes, there is that feeling of pride and manliness and chivalry in the Irishman which would prevent him from turning traitor to the flag which he had sworn to defend. If, however, the Government will not intrust arms to the people of Ireland, and thus prepare them to repel invasion, should it ever menace their shores, at least let him, in the name of Heaven, afford them the means, by employment and by wise and generous legislation, of protecting themselves from what is far worse than the foreign invasion —the wolf of hunger that prowls round the door of every peasant's house in that land.

Major KNOX wished to explain, that in what he had said he did not intend to impute dishonourable motives to the hon. Member for Clonmel (Mr. Bagwell).

Sir GEORGE BOWYER observed, that at the present moment there was in London a distinguished Volunteer Regiment, composed of Irishmen, both Protestants and Catholics, and in discipline and in efficiency that regiment was equal to any other regiment of Volunteers. He was not aware of any very general or urgent desire on the part of the people in Ireland to become Volunteers; but if Ireland wished to have the Volunteer system, it ought to be extended to that country, because the law should be the same for Ireland as for England.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 156; Noes 45: Majority 111.

Main Question put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 6 *agreed to.*

Clause 7 (Power for Volunteer to quit Corps).

Mr. HARVEY LEWIS said, that this clause was objected to by many Volunteers as cumbrous and unworkable. In the absence of the hon. Baronet the Member for Finsbury, he moved an Amendment to the effect, that instead of an appeal to two deputy lieutenants or one deputy lieutenant and one justice of the peace, in the event of a commanding officer refusing to strike the name of any one off the muster roll, there should be a court of inquiry.

Colonel SYKES said, he saw no difficulty in the practical working of the clause.

Mr. Maguire

The Marquess of HARTINGTON said, he did not see the force of the objection to the clause. It was not intended to place any obstruction in the way of a Volunteer quitting the force if he gave proper notice and fulfilled the prescribed conditions. A commanding officer had no right to retain on the roll a Volunteer who complied with those requirements; and if there was any dispute on that point it, was to be decided by an appeal to the officials mentioned.

Mr. HARVEY LEWIS thought the clause permitted the commanding officer to withhold a discharge.

Colonel FRENCH said, that the clause expressly provided that the name of any Volunteer, on his complying with specified conditions, should be struck out of the muster roll of the corps by the commanding officer.

Sir JOHN SHELLEY said, he had never heard any Volunteer object to the clause. He thought, however, that it was a serious objection to the court of appeal constituted by the clause that it had not the power of enforcing the attendance of witnesses. At present Volunteers were free from control except on parade, and could not be compelled to attend before a court of inquiry.

Major KNOX said, that if the last paragraph of the clause were omitted, that would render the matter of retirement perfectly clear.

Mr. HEADLAM said, the clause stated the circumstances under which Volunteers were entitled to be discharged, and was drawn solely and entirely for their benefit.

Mr. HENLEY: There was some doubt as to the meaning of the words, paying all money due by him "for any subscription or fine, or on any other account." If an appeal was given in any matter of dispute between a Volunteer and the commanding officer, the meaning of the words "or on any other account" should be rendered more clear, and he wished to call the attention of the right hon. Gentleman opposite to the matter.

Mr. HEADLAM said, that he would give his attention to the point.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 8 (Discharge of Volunteer taking service in Militia or Army) *agreed to.*

Clause 9 (Power for Crown to put Volunteers under command of General or Field Officers).

COLONEL WILSON PATTEN said, that by this clause Her Majesty was empowered to put Volunteers under the command of any General or Field Officers of the Army, when on actual military service, or when voluntarily doing any military duty—including, he supposed, public ceremonies and reviews. He hoped that the Militia would always cordially co-operate with the Volunteers on all occasions, without any jealous feeling; but it would follow from this clause, supposing Volunteer and Militia officers were out together, that the senior Volunteer officer would supersede the senior Militia officer. He thought that on all these occasions the senior officer ought to take precedence. In order to secure this, he would propose the insertion of the words "or Militia" towards the end of the clause.

THE MARQUESS OF HARTINGTON said, the clause made no alteration in the existing law. The clause was simply to enable Her Majesty to appoint an officer of the army to command the Volunteers in actual or voluntary service. In the event of the Militia and Volunteers being associated, and there being no commander specially appointed by Her Majesty, the senior officer would take the command.

MAJOR KNOX wished to know, whether the clause meant that no Volunteer officer, however efficient he might be, should be appointed to command? Many Volunteer officers had served in the army, and he thought the Secretary of State should be empowered to put them in command, if necessary.

COLONEL SYKES said, that the proposition of the hon. and gallant Member for North Lancashire would give Militia officers precedence over Volunteers.

COLONEL WILSON PATTEN said, that was not his intention; but according to the clause as it stood no Militia officer, whatever his rank, could command a Volunteer regiment.

MR. HEADLAM thought the clause had been misunderstood. It simply gave power to Her Majesty to select a particular individual to command on particular occasions, who should be a general or a field officer in the army. There was no intention to interfere with the *status* of Militia or Volunteer officers among themselves.

COLONEL WILSON PATTEN was satisfied with the explanation of the hon. and learned Gentleman, and would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

SIR JOHN SHELLEY suggested the insertion after "field officers" of the words "being of superior standing in rank," in order to prevent a major being put in command over a lieutenant colonel.

THE MARQUESS OF HARTINGTON said, the intention of the clause was to give Her Majesty power to appoint a colonel or a lieutenant colonel, and he had no objection to put in words to that effect.

COLONEL WILSON PATTEN remarked that in the Militia there was no jealousy of being inspected by an inferior officer.

MAJOR KNOX observed, that under certain circumstances it might be necessary to put a major in command, with the nominal rank of brigadier.

THE MARQUESS OF HARTINGTON thought, that on the whole, the question should be reserved for consideration on the Report.

Clause *agreed to.*

Clause 10 (Annual Inspection).

COLONEL BATHURST, in reference to this and the following clause, pointed out that the out-lying country corps would be placed at a great disadvantage in consequence of their not being able to attend so many battalion drills as corps in towns. He thought some provision of efficiency should be made in their case.

MR. W. E. FORSTER understood that each corps would be considered a battalion for the purposes of this Bill.

MR. HUMBERSTON wished the noble Lord to consider the propriety of substituting, in the Order in Council, at all events in the case of the rank and file, additional drill for battalion drill, and instead of requiring them to attend three battalion parades, to allow them to attend twelve drills, one of which should be a battalion drill, in order to make them effective.

COLONEL NORTH said, he saw no reason for altering the clause. It ought to be left to the discretion of the inspecting officer of the district whether he would inspect the corps separately or in administrative battalions.

THE MARQUESS OF HARTINGTON said, it was undoubtedly intended most fully to preserve the independence of all the Volunteer corps. No doubt there would be some difficulty in country corps attending in full strength at the inspections. It was very desirable to make the inspection as convenient as possible to every corps; but, as the hon. and gallant Officer (Colonel

North) observed, it must rest with the inspecting officer to say whether he would inspect the corps separately or in administrative battalions.

MR. W. E. FORSTER understood, that there would be nothing in the Bill, or in the regulations intended to be issued, which would prevent the corps being inspected separately if that were found expedient.

Clause *agreed to.*

Clause 11 (Requisites of Efficiency under Orders in Council).

On Proviso, That any Order in Council under this section shall not take effect until after the expiration of one month after it has been laid before both Houses of Parliament,

THE MARQUESS OF HARTINGTON proposed, that the latter part of the clause should be omitted, with the view of substituting for it the following words—

> "The draught of any scheme to be from time to time submitted to Her Majesty in Council for approval under the present section shall be laid before both Houses of Parliament one month at least before such scheme receives the approval of Her Majesty in Council."

It would be an irregular proceeding for the House of Commons to have the power of altering an Order in Council which had been approved by Her Majesty. The usual practice was to lay a draught form before the House, in order that after the House had approved it, it should then receive the sanction of Her Majesty. The noble Marquis then explained the attendance at drill and other qualifications which it was proposed to prescribe for the artillery, rifle, and other Volunteer corps, as the standard of efficiency.

MR. W. E. FORSTER admitted, that the Government had been liberal both with regard to pecuniary payment and the conditions that were to be attained; but with regard to battalion drill for administrative battalions, he thought the noble Lord could scarcely be aware of the condition of many country battalions. If the proposed conditions were strictly enforced, many of them would be broken up. It would be almost impossible for the men to attend three battalion drills, as each attendance would imply holiday for the day, and that they could not afford.

LORD ELCHO said, the object of the Royal Commission was to make the drill as light as possible to the Volunteer, consistent with efficiency. The ordinary company drill was the basis of all efficiency, and it was thought, that if the companies were brought together three times a year for battalion drill, that would be sufficient. He believed it was the intention of the Government to act in the main upon the suggestions of the Royal Commission, and to give the 4*s.* a head for that purpose. But it was stated that there were cases where it would be perfectly impossible to bring the companies together for battalion drill, and it would be very hard that they should lose the grant. Colonel M'Murdo had just put in his hand a draft Order in Council, which provided that in the case of corps so circumstanced the Secretary of State might advise the remission of the number of attendances at battalion drill, on condition that there should be a proportionate increase of company drill, so as to entitle the corps to the grant. It would be left to the discretion of the Secretary of State to exercise his judgment according to the case made out by the applicants.

MR. HUMBERSTON said, that wherever the companies met, there would be a certain number of individuals who could not be present at the drills.

MR. W. E. FORSTER said, the Order in Council met the objections which he had felt. If the Government chose to exact a larger number of company drills, the Volunteers would be prepared to undergo them.

COLONEL SYKES said, that there could be no efficiency in a regiment unless the companies were occasionally brought together for movements in the field.

MR. BUXTON asked, at what period the Volunteer year was to commence for drill and financial purposes.

THE MARQUESS OF HARTINGTON said, the certificate of efficiency would state that the person had attended drill during the twelve months last preceding the 30th November. He hoped to lay the draft Orders in Council upon the table as soon as this Bill should become law. It was certainly the intention of the War Office, in all ordinary cases, to insist on three battalion drills.

LORD ELCHO said, that the commanding officer could give leave of absence where a party could not attend drill.

MR. AUGUSTUS SMITH suggested that the words "during the Session of Parliament," should be introduced after the words in the Amendment requiring the draught scheme to be laid before Parliament one month before receiving the Queen's approval.

THE MARQUESS OF HARTINGTON said he would agree to the alteration.

The Amendment was altered accordingly and *agreed to.*

Clause, as amended, *agreed to.*

Clauses 12 to 18 were *agreed to.*

Clause 19 (Application of Provisions as to actual Military Service to Volunteers acting in Suppression of Riots or Tumults).

MR. HIBBERT expressed his regret that the Government proposed to continue the provision in the 44 *Geo.* III., c. 54, giving power to the Lord Lieutenant of counties to call upon the Volunteers to aid in the suppression of riots. At present, happily, the Volunteers were highly popular; but nothing could be more calculated to impair that popularity than calling upon them to interfere in disturbances, which might possibly arise from disputes as to wages between workmen and their employers. They should remember the ill-blood that had been occasioned by the employment of the Yeomanry in Lancashire in the early part of the century. It was true the power existed in the old Act, but he did not see why bad precedent should be followed and perpetuated. Cases might arise in which only a portion of a corps might obey the summons of the commanding officer to assemble; and the consequence would be that those who abstained from assembling would be regarded with suspicion as sympathizing with rioters and disloyal. He moved that the clause be omitted.

COLONEL SYKES said, it might possibly happen that one part of a corps would take one side and another part the other.

SIR GEORGE GREY said, the effect of the clause was in fact restrictive of the present power. It was not an exact copy of the clause in the old Act, but it required that the sanction of the Secretary of State should be given to the calling-out of the Volunteers by the Lord Lieutenant. He quite agreed that it was inexpedient that Volunteer corps should be used to suppress riots generally; but, at the same time, it was not impossible that under some circumstances their assistance would be most valuable. The clause put a double check upon the employment of Volunteers on civil occasions, inasmuch as when the Lord Lieutenant had called upon them to assemble for the suppression of riots or tumults, the approval of the Secretary of State was required.

MR. BUXTON thought that nevertheless the clause ought to be struck out. The fact that there was such a clause would naturally lead Lords Lieutenant of counties to think that they could call out Volunteer corps, and it might be productive of serious evils. Some corps were composed of working men, and in some cases they might be disposed to use their rifles rather against those who led them. [" Oh!"] At least there might be occasions when they might be very indisposed to act against the rioters whom they were required to put down.

LORD ELCHO said, he should be sorry if anything should occur to make the Volunteer force less popular than it was at present, but he would remind the Committee that its present popularity had grown up under a power similar to that conveyed in the clauses under discussion. The only difference was that that power was now limited and could only be exercised in very extreme cases, and then only with the express sanction of the Secretary of State. He could not anticipate any such occurrences as those suggested by the hon. Member for Maidstone (Mr. Buxton). The discipline of the Volunteer Corps forbade such a suspicion, and no corps were more highly disciplined than those corps which were mainly or entirely composed of artisans. He might observe that the evidence before the Commission showed that that discipline had had a most beneficial effect upon the habits of the men, who were remarkable for sobriety, and as well disposed as any body of men; the effect of the movement having been, to quote the words of one witness, to convert Chartists into loyal men. The Bill having been drawn up on the principle of *Quieta non movere*, he did not think it would be advisable to extinguish a power that could only be exercised in extreme cases, and under the special authority of the Secretary of State.

MR. AYRTON hoped the hon. Member for Oldham (Mr. Hibbert) would persist in his opposition to the clause. They were called upon to pass a new law, and therefore were justified in considering the whole question. It was not correct to say that the check of requiring the sanction of the Secretary of State to the use of the Volunteers was a new one, because under the Act of George III. the sanction of Her Majesty was required. The objectionable feature of the clause was, that when Volunteers were called out, they were to be deemed in actual military service, and would receive pay and be subject to martial law. That arrangement would tend to alter the character of the Volunteer force in time of peace, and would place them in an unfortunate position towards their fellow subjects. By the law of the land, in case of riot the sheriff could call upon the community to aid him; and if the aid of the Volunteers was needed, they should be sworn in as constables in their character of civilians.

Mr. A. F. EGERTON ventured to differ from the hon. Member for the Tower Hamlets (Mr. Ayrton) when he said the Volunteers should be employed, as constables. He had a strong opinion that the Volunteer force would never—it was true occasions might arise, but they were so few that he might use the term never—be called out to assist the civil power; but still he thought the authority to use them ought to be left with the Lord Lieutenant of the county, under the sanction of the Secretary of State.

Mr. POTTER said, he was old enough to remember the disastrous affair at Peterloo, and he knew well that some of the Yeomanry officers engaged in it—most excellent and amiable men—had scarcely ever got over the odium of it. If regular troops only had been employed, there would never have been such a melancholy loss of life; and looking back to the affair, he should strongly deprecate bringing Volunteers in contact with the people.

Mr. ROGERS hoped that the Volunteers never would be called out to aid the civil power, but he looked upon them as an assurance of peace, not only abroad, but at home; and the knowledge that the power of calling in the assistance of the Volunteers existed would always be a security against riot.

Mr. EVANS said, it was perfectly true that in the existing Act a somewhat more stringent clause existed; but of the Volunteers he had spoken to on the subject very few were aware of this clause, or knew they were liable to be called out in that way. It was a duty from which he was sure they would be inclined to shrink. He hoped the clause would be struck out.

Mr. SELWYN desired to point out that the clause applied only to Volunteers who should voluntarily assemble, with the approval of the Secretary of State, on being called upon by the Lord Lieutenant. The cases in which the services of the Volunteers would be thus required would be very rare—he hoped that one might never occur; but it must be borne in mind that the authorities of the counties had constitutionally the power of calling out the *posse comitatûs*, and might therefore call upon the Volunteers. Surely it would be the height of absurdity to call out a body of drilled men, and send them out as a body of special constables with sticks in their hands. He supported this clause in the interests of peace. In many parts of the kingdom the force of regular troops was exceedingly small, and nothing would be more likely to check a riot in its outset than the knowledge that the authorities had the power of calling to their aid a large force of Volunteers.

Sir JOHN SHELLEY thought that in the cause of peace and humanity the clause ought to be omitted. If there was a riot, a small number of regular soldiers would have a greater effect upon the mob than a large number of Volunteers. As regarded its being a voluntary assembling, that was a reason why he objected to it; because if it was necessary to call them out at all, the service ought to be compulsory. He believed this clause would be distasteful to, and have a bad effect upon the Volunteers themselves, and therefore he should Vote against it.

Mr. W. E. FORSTER said, the discussion had changed his views, and he was inclined to Vote with the Member for Oldham (Mr. Hibbert) very much on the grounds stated by the hon. Member for Westminster. The voluntary part of the clause was the very part that made it objectionable, for it would place the matter somewhat in the nature of a partisan warfare; for some Volunteers would come, and some would stop away. If the force was to be used at all, the employment should be compulsory, and not left to the option of the men. Nothing would be so fatal to the Volunteer movement as to generate the suspicion that the force was a power behind a class for any purpose whatever. The emergencies in which the necessity of the services of the Volunteers would be required would be very few; and when they arose, Parliament would readily make the necessary provisions.

Mr. HEADLAM said, he quite concurred with those who maintained that it was, as a general rule, inexpedient that Volunteers should be employed against a mob; but he, at the same time, thought that when they could be called out for that purpose only by the Lord Lieutenant under the sanction of the Secretary of State, no danger need be apprehended from placing in his hands the power which the clause proposed to give. He could conceive circumstances in which it might be exceedingly desirable to exercise such a power. There were, in the north of England especially, many artillery Volunteer corps, and they might, on an emergency, do considerable service, if posted in strong places, not with the view of using them against the mob, but of holding them while the regular troops and the police were engaged in quelling a disturbance.

Earl GROSVENOR said, the responsibility of taking the command of a body of Volunteers with rifles in their hands against a mob was one which many commanding officers would not like to assume.

Sir MINTO FARQUHAR feared, that if the clause were passed, the Volunteer force would be likely to lose much of the popularity which it now so largely enjoyed.

The Marquess of HARTINGTON said, that as it was apparently the general wish of the Committee that the clause should not be persevered with, he should not press it to a division.

Clause *struck out.*

Clause 20 (Provision for Officers and Men disabled, and for Widows of Officers killed) *agreed to.*

Clause 21 (Discipline of Volunteers while not on actual Military Service).

Sir ROBERT CLIFTON moved an Amendment in the section of the clause which authorizes a commanding officer to strike off the muster-roll any Volunteer for certain specified causes, and for other sufficient cause—"the existence and sufficiency of such causes respectively to be judged of by the commanding officer." The object of the Amendment being to give the inculpated officer the right of trial by a court of inquiry. The clause had been made much more objectionable than it was in the old Act, for now the colonel could dismiss any officer of a corps, as well as any private, without trial, and after the dismissal he had not the power of entering any other Volunteer corps. It seemed to him that they should allow a member of a Volunteer company who had come patriotically forward, sacrificing time and money, at least the privileges of a common soldier. The soldier could call for a court martial, and had the power of appeal; whereas the Volunteer had not the slightest tribunal, and might be at any moment dismissed, he would not say through the whim of, but disagreement with his commanding officer. The hon. Member having referred to the Report and Evidence of the Royal Commission in support of his views, said, he trusted the House would show their sense of gratitude to the gentlemen who came forward most patriotically when the noble Lord at the head of the Government cried "Wolf!" and not deny them privileges possessed by the common soldier.

Amendment proposed,

In page 8, line 17, to leave out from the word "cause" to the word "Officer" inclusive, in line 19, in order to insert the words "such causes respectively to be committed to writing, and communicated to the accused by the Adjutant of such corps, and the existence and sufficiency of such causes respectively to be judged of by a court to be summoned by the Commanding Officer, and to consist of one Captain, two Subaltern Officers, and two Non-Commissioned Officers or Privates of the same corps."

Mr. HARVEY LEWIS said, he had spoken to many Volunteers, officers, and privates, and they one and all condemned this clause. Suggestions had been thrown out that it did not apply to officers. He apprehended it might be strained to apply to them; but supposing it could not, why should a private, who was often in as good a position as an officer, have his prospects in life blasted without trial? It was a dangerous power to intrust to any commanding officer, and would only lead to ill-feeling in the Volunteer force, which had hitherto been in a state of harmony.

The Marquess of HARTINGTON hoped the Committee would assent to the clause in its present shape. It was, he might add, never intended that it should apply to officers. With reference to the power which it gave over the private, it might be sufficient to say that such a power existed under the old Act. There seemed to be some confusion in the mind of the hon. Baronet between the witnesses and the Commissioners. The hon. Baronet quoted in his favour the opinions of two officers who were examined; but as the Commissioners knew perfectly well that the powers given by the Bill to commanding officers of Volunteer regiments already existed, and as they did not deem it necessary to notice the opinions of those two officers, it might be fairly assumed that the Commissioners did not agree with them. It had been urged that dismissal was a power not given to officers commanding regiments of the Line. This was quite true, but it was not possible to institute any comparison between Volunteers and the Line. It was true a commanding officer in the Line could not dismiss a private; but a private in a Line regiment could not dismiss himself in fourteen days. A Volunteer private could give notice and withdraw in fourteen days; a regular soldier could not quit the army until after a service of many years. The Volunteer was not subject to a variety of punishments which could be inflicted on a private in a Line regiment by order of the commanding officer. This power of dismissal was, in fact, the only power which the commanding officer of Volunteers possessed for the punishment of an unruly or refractory member of his corps; and when they were voting money for the support of the Volunteers, they ought not to diminish the means of keeping up discipline. As to the court of inquiry, it must either be made compulsory on the commanding officer to abide by its decision, or he must be allowed to disregard it. If the commanding officer were allowed to disregard the decision of the court of inquiry, it seemed entirely nugatory; and if it were made imperative on him to abide by the decision of the court of inquiry, it would be investing the court of inquiry with powers which it had never possessed, and which had always been possessed by the commanding officer. The functions of a court of inquiry were clearly laid down in the regulations. It was not a judicial body. It had no power to administer an oath or to compel the attendance of witnesses. It was proposed by this Amendment to make it a judicial body in a very inconvenient form, to invest it with powers of deciding without any security that it would arrive at proper conclusions, and to place the discipline of the force in the care of a committee, instead of in that of the commanding officers with guarantees sufficiently broad to prevent abuse. He was quite aware that there were many commanding officers of Volunteers who were not unwilling to get rid of the responsibility which fell upon them; but the Government was not willing that, while accepting the honour they should evade the duty which attached to it; and he believed that if an officer was not fit to exercise the only power which was placed in his hands, he was not fit to be a commanding officer at all. It seemed to him that a severe blow would be inflicted upon the discipline of Volunteer regiments if the Amendment were adopted; and he would remind those who were inclined to favour it, that if the power of dismissal were misused or abused, the decision of the commanding officer would not be final—although he by no means wished it to be understood that the War Office would intermeddle in an unnecessary and vexatious manner with the decisions of commanding officers.

LORD ELCHO hoped the Committee would reject the Amendment, for the reasons which the noble Lord had very clearly stated, and retain a clause which was essential to the discipline of the Volunteers. It was only under this clause that commanding officers could exercise proper control over the members of their corps; and even supposing they exercised the power given to them too rigidly, there was an appeal to the Secretary of State, who might refuse to confirm what the commanding officer had done. He thought, therefore, there was no danger of the power being abused. He did not believe that they would have had the question brought forward unless there had been some special reasons for it. In the course of the winter a printed paper was sent to every commanding officer of Volunteers, which contained extracts from a speech just delivered at a meeting in a certain borough, and a portion of the extracts was in these terms—

> "He regretted to hear that dissensions existed in two metropolitan corps, between the colonels and the men. Those corps were the South Middlesex and the Westminster, and the dissensions arose from the colonels having arbitrarily dismissed men under the Act of George IV., from which decisions there was no appeal."

That was a mistake, as there was an appeal. The same gentleman went on to say—

> "The brave, honourable, and patriotic men who compose the Volunteer corps are thus treated differently from soldiers in the standing army, and even worse than criminals, at the will, perhaps, of an incompetent officer, whose only idea is to maintain strict discipline."

That was the speech of the hon. Baronet the Member for Nottingham, and he did not know whether it was circulated by himself.

SIR ROBERT CLIFTON said, the printed matter referred to had been cut from the columns of *The Morning Post.*

LORD ELCHO: He would venture to say that reprinting such a speech, and circulating it in the manner he had noticed, was not a step calculated to promote discipline, but rather to cause dissensions between commanding officers and their regiments. If the hon. Baronet could point to only two cases among 150,000 enrolled

Volunteers, the force having existed since 1859, it was sufficient to prove that the existing law worked well. However, this was the speech, and here was the Amendment. Although an association had been formed called "The Volunteer Defence Association," of which he believed the hon. Member for Finsbury was the head—

MR. COX said, that although a Volunteer, he had nothing on earth to do with any such Association.

LORD ELCHO begged to apologize to the hon. Gentleman, and to express his regret that he had connected his name with this association. In consequence of the speech of the hon. Baronet, Petitions, which received but few signatures, had been got up against this Bill, and Volunteers had gone to the parades of other corps to excite hostility to it. He was told that some who went to a parade of the "Devil's Own" were informed by the officer in command of one of the companies that he was so far from agreeing with them that he thought that a Volunteer who disobeyed his commanding officer ought to be shot to death by musketry. The two cases to which the hon. Baronet had referred in his speech occurred, one in the corps of Lord Ranelagh, who brought against the parties an action for libel, and compelled them to sign a paper apologizing in the humblest manner, and the other in that of his noble Friend the Member for Chester (Earl Grosvenor), whom no one would suspect of abusing his powers, and who was as much beloved by his men as was any officer who commanded any regiment of Volunteers. The noble Lord the Under Secretary had rested the defence of this clause upon the true grounds that it was one seldom exercised and never abused; and he trusted the House would reject the Amendment.

SIR DE LACY EVANS agreed with the noble Lord that great difficulties were imposed upon officers commanding Volunteer corps, and that their power was materially controlled by the Secretary of State for War. He was not prepared to say, that because this clause existed in the old Act, it ought to be retained in this one; but he thought that the continued success of the Volunteer movement was evidence that the commanding officers did, to a great extent, perform their duties to the satisfaction of of the public. It would not become him, as an old military man, to interfere with the discipline of these corps, more especially as those who were dissatisfied might appeal to the Secretary of State. It was easy to maintain discipline while Volunteer corps were *fêted* and applauded on every hand; but this could not continue for ever; and if the organization was to be made permanent, some such authority as the clause provided must be given to commanding officers.

MR. BUXTON hoped that individual cases would be kept out of this discussion, because in this matter no court of appeal could be more unsatisfactory than the House of Commons. He had intended to support the Amendment of the hon Baronet, because he thought that the clause conferred a most arbitrary power, which might be exercised intemperately and unjustly; but he saw no way of getting over the objection that the court of inquiry would be inadequate to the discharge of the duty sought to be imposed upon it. In this dilemma the only alternative was to leave the power in the hands of the commanding officer, who would probably generally find it prudent to accept the assistance of a committee of inquiry.

MR. COX was anxious that the Committee should agree to this Amendment, because, if they did not, he expected that he should for the observations which he was about to make receive his dismissal from the corps in which he was a full private. The noble Lord (Lord Elcho) had not stated from whom he obtained his information respecting the Volunteer Defence Association. He (Mr. Cox) had no sympathy with noble Lords who upon hearsay evidence charged other Members of that House with belonging to associations intending to excite ill-feeling between Volunteers and their commanding officer. The noble Lord would have done well before charging him with such a connection to have made some communication to him on the subject. He spoke in the name of hundreds of Volunteers when he said that a severe blow would be struck at the force if this power were retained. Not one man in a hundred, when he joined the Volunteers, knew the existence of the arbitrary power to which he was subjecting himself. The Under-Secretary turned to "the red-book"; but very few had got that "red-book," fewer still had read it, and hardly any of those who read it would be able to understand it. The Petitions against this power, to which reference had been made, were being numerously signed in various parts of the country, and would be presented to the House in a few days. The noble Lord (The Marquess of Hartington) said, if a Volunteer disapproved the system as now existing, he could dismiss himself; but even that satisfaction was sometimes denied. He was acquainted with a Volunteer, who, being unable to concur in the arbitrary proceedings carried on in the regiment of which he was a member, and not wishing to create an unpleasant feeling between officers and men, determined to send in his resignation. He paid every demand that could be made upon him; he complied in every respect with the Act of Parliament; in the presence of witnesses he handed over his rifle and accoutrements in proper order; and having done this, he wrote a very proper and polite letter to his commanding officer, resigning his position in the Volunteer force, and giving his reasons for doing so. According to the rules, as stated by the noble Lord, at the end of fourteen days he would have ceased to be a Volunteer of the particular corps, and might have joined any other of the administration of which he more highly approved. But the commanding officer before the fourteen days expired dismissed him from the service, placarded and advertised him in the shop windows of the neighbourhood and in the newspapers, and this prevented him from joining any other corps. [The Marquess of HARTINGTON inquired the name of this Volunteer.] He had no objection to state, for the information of the noble Lord, that the Volunteer's name was Mr. Hutchins. Having appealed to the War Office, he was referred to the Lord-Lieutenant of the county, and afterwards back again to the War Office, which authority confirmed the sentence of the commanding officer. If the House desired to put an end to the Volunteer force, they would adopt the clause as it stood, which left it optional with a commander to dismiss one of his men for not touching his cap properly. He undertook to say that before the 25th December, if the clause passed, the force would be diminished by fully seven-eighths.

Lord ELCHO said, it was quite true that Mr. Hutchins had given up his rifle and accoutrements in proper order, and had likewise satisfied all pecuniary claims; but he was informed that the letter was couched in such improper terms that the authorities at the War Office on reading it over desired the commanding officer to dismiss Mr. Hutchins, and not to allow him to resign.

Sir JOHN SHELLEY said, the question involved in this clause was really whether the discipline of Volunteer corps should be maintained. Commanding officers ought to make up their minds to the bitters as well as the sweets of their position; and if they felt it to be clearly their duty to dismiss a member, they ought to take that step, regardless of the clamour which might be excited.

Mr. W. E. FORSTER wished to give his reasons for voting against the Motion of the hon. Member for Nottingham. The House should consider the position in which the Volunteer commanding officer was placed. If they refused him the power which was now asked, they must relieve him of his responsibility, and give him a court martial. Let them remember that Volunteers, however peaceable, were still men with arms in their hands, and that the commanding officer would be placed in a great difficulty if he could not get rid of a black sheep without appealing to a Committee. It was evident, therefore, that either this power must be given or else the court martial. [Mr. Cox: Hear, hear!] The hon. Member for Finsbury said "Hear, hear!" but he could tell him that the institution of Volunteer courts martial would be the most unpopular step that could be taken. Let it be remembered that pending the proceedings the Volunteer must be placed under arrest. He believed that the feeling to which the hon. Member for Finsbury had alluded was very much exaggerated, and he could certainly say for the Yorkshire corps that they had no wish to be governed by a committee instead of their commanding officer. Neither did he think that the power given by the clause was likely to be arbitrarily used, as commanding officers knew very well that such conduct would very soon diminish their corps. Besides, in case of any abuse of the power there were two remedies—one an appeal to the War Office, and another a charge laid before the Lord Lieutenant. He could only speak as a captain of Volunteers, but he knew the feeling of the county from which he came, and he believed that the Volunteers there were fully prepared to submit to whatever might be necessary for the maintenance of discipline.

Earl GROSVENOR said, that he had been attacked in a portion of the public press on account of some acts done by him in his capacity of commanding officer. He was quite willing to go into the case on which the hon. Baronet (Sir Robert Clifton) had proposed to attack him; but he doubted whether the Committee would be inclined to listen to it. ["No!"] He would prefer to give up his position as commanding officer rather than consent to have his power taken away. It should be remembered that the commanding officer had the power of dismissal under the old Act; and the best guarantee a corps had that the commanding officer would use his power discreetly was, that if he did otherwise, he would be very likely to lose a large number of his men. Although the Act had been in operation three years, he was not aware of any instance in which the power had been intemperately exercised.

SIR DE LACY EVANS supported the clause in the Bill. As an old officer, he knew the necessity of establishing the means of preserving discipline among a large body of men. It was to be remembered that privates and officers of the Volunteer force could relieve themselves from service in fourteen days, whether the commanding officer wished them or did not wish them to do so. The commanding officer ought to have some power as a counterpoise, and under these circumstances he did not see how the House could refuse the very limited power asked for in this Bill. He thought it would not be judicious to enter into the discussion of particular cases, but he must express his opinion that the noble Lord who had last addressed the Committee had managed his battalions very judiciously.

COLONEL SYKES said, it had been urged that an appeal was given to the War Office in the case of the exercise of any arbitrary power on the part of a commanding officer; but he thought the War Office had quite enough to do at present without additional responsibility being thrown upon it. Some independent court of appeal ought to be provided for the Volunteer force.

MR. CONINGHAM said, it was not surprising that the Volunteers of the country should be jealous of arbitrary power confided to commanding officers, more especially when they saw that, in dealing with questions in dispute between commanding officers and the privates, the Horse Guards always supported the former against their subordinates. An instance of this had recently come before the public in the case of an officer commanding a regiment in India.

COLONEL BARTTELOT rose to order. The case of the colonel in India had nothing to do with the Question before the House.

MR. CONINGHAM said, the Horse Guards admitted that the colonel to whom he referred had not shown a capacity for commanding a regiment, but they sent him back to make a further trial of his incapacity. He doubted whether the Amendment of the hon. Member for Nottingham would meet the case of the Volunteers in a satisfactory manner; but some measure should be devised for checking the irresponsible authority of colonels.

COLONEL BARTTELOT hoped the noble Lord would not withdraw the clause, because if he did, the discipline of the Volunteers would be at an end. The country granted a large sum of money for the maintenance of the force, and had a right to expect that it would be maintained in an efficient state of discipline. If, however, they took away from the responsible commanding officers the small amount of power they now possessed, they would tend materially to damage the value of the force. Only three instances had been cited of a commanding officer having dealt hastily or rashly with those under his command, and these had all occurred in London. He believed, that if the Committee left this power in the hands of the commanding officers, they would never have cause to regret it.

MR. EVANS said, that in the corps to which he, as a private, had the honour to belong, not the slightest difficulty or inconvenience had arisen; and he had not heard a single instance in the other corps in the same county in which the conduct of a commanding officer in dismissing a man had been objected to. He hoped, therefore, the noble Lord would not withdraw the clause.

MR. AYRTON said, that he had enlisted as a full private when there were only some 500 Volunteers, and when there came to be 150,000 he thought he might retire from the service. The sting of the clause was that the commanding officer was allowed to judge the conduct of a Volunteer, and to pronounce, it might be, sentence of condemnation upon him; and this sentence, they had been told, that the commanding officer thought himself entitled to publish. Now, in this way it seemed possible that what might otherwise be a gross libel would be made, by this clause, a privileged communication. He thought, therefore, that it was necessary either to change the clause, so as to prevent a commanding officer from publishing anything he chose as a privileged communication, or introduce some provision by which the Volunteer might be enabled to bring the matter before a court of justice, or otherwise right himself in the opinion of his friends and of society. In its present form, the proposal of the hon. Member (Sir Robert Clifton) was untechnical and unadvisable; but he hoped that the noble Lord would consider whether the clause could not be modified in the way he had suggested.

Mr. DENMAN said, he had the honour of serving as a private in the corps commanded by the noble Lord the Member for Chester (Earl Grosvenor), in which the agitation had arisen that had been made so much of. He did not speak without considerable knowledge as to the feelings in that regiment, and he was sure, that if the regiment were polled, nine-tenths of the men would be in favour of retaining the present power in the hands of the commanding officer. He was glad that the clause providing that Volunteer corps might be called out in case of civil disturbance had been withdrawn, because a Volunteer might well say—"*Non hæc in fœdera veni.*" But, on the other hand, when they entered a regiment, Volunteers knew perfectly well that they would be under the orders of the commanding officer, and that if they misbehaved themselves, they would be liable to dismissal. He had never yet heard any one say that in the instances which were brought forward, and particularly in that which was to be discussed upon the Motion of the hon. Member (Sir Robert Clifton), the commanding officer had not done quite right, and had no other option.

Mr. W. WILLIAMS believed that this clause would operate most detrimentally to the Volunteer force. Many of these commanding officers were young men, who had obtained their commands owing to their high rank and position, and who ought hardly to be intrusted with the arbitrary control which they would possess if the clause were not qualified.

Mr. HEADLAM said, he was glad the clause had been so much discussed, because it had shown a great preponderance of opinion in favour of its retention. Whatever the merits or demerits of the question, it was clear that the law, as it now stood, was precisely the same as that which regulated the original Volunteer force, and which still regulated the Yeomanry and existing Volunteers, and he thought it would be wise to let well alone. There had been, hitherto, extraordinary harmony between the officers and men of the Volunteer corps, but the remedy now proposed would inflict great injury on the service. The court of inquiry which the hon. Baronet proposed was objectionable, as the sentence would ultimately depend on the commanding officer, while he would be deprived of all responsibility. If they were to have a tribunal to determine these cases, he knew of no other than a court martial; and the question was, whether they would subject Volunteers to a trial of that description. In a regiment of the Line the commanding officer had ample power to enable him to maintain discipline. If a man were guilty of the slightest impertinence, or of even using a disrespectful word, he could summon him before a court martial; and if he struck an officer, he was liable to be shot. But in a Volunteer regiment no power of that kind existed, and it was impossible the commanding officer could maintain discipline unless he possessed the power given by the clause. That power was infinitely better than anything proposed in its place, while it had been in force many years without doing injury to any one.

Sir ROBERT CLIFTON, in reply, said that it was in consequence of a letter which he had received from the noble Earl, (Earl Grosvenor) that he had not the other night brought on the question to which reference had been made. It would have been his duty to read several letters from the noble Earl; and as he understood the noble Earl was labouring under illness, he thought it would not be courteous to bring on the case in his absence. But, on the part of Mr. Reece, he would even now say that he was ready to refer the matter to a court of inquiry, and to abide by its decision. Mr. Reece had been posted all over Piccadilly as having been dismissed for gross carelessness and negligence, and that to a medical man was nearly as bad as shooting him. He could not help thinking that too much despotic power was now placed in the hands of the Volunteer colonels. He expected that the Volunteer officers in the House would oppose his Motion; but if there had been a few more privates in the House, the result would have been different. Yet, he believed that Volunteer officers who divided against him would find themselves rather less popular with their men than they would otherwise be. ["Oh!"]. He was confirmed in this belief by the number of letters he every day received on this subject.

Question put, "That the words proposed to be left out stand part of the Question."

The Committee *divided*:—Ayes 108; Noes 21: Majority 87.

Clause *agreed to.*

Clauses 22 and 23 *agreed to.*

Clause 24 (Power for Corps to make Rules, subject to Approval of Crown).

MR. HARVEY LEWIS said, this clause gave the corps power to make rules, subject to the approval of the Crown; but the clause provided that the rules shall not have effect until the commanding officer "thinks fit" to transmit them to the Lord Lieutenant. He moved to leave out the words "thinks fit to," and insert "shall."

THE MARQUESS OF HARTINGTON said, he thought the commanding officer ought to have a *veto* on the rules.

Amendment *negatived.*

Clause *agreed to.*

Clause 25 (Vesting of Property of Corps in Commanding Officer *ex officio*) *agreed to.*

Clause 26 (Storehouses for Arms).

MR. HUMBERSTON proposed at the end to add—

"It shall also be lawful for justices of the peace, municipal corporations, and trustees or commissioners for public or parochial purposes, out of the public funds at their disposal, to provide and furnish, and pay the rent for, any storehouse for arms, rifle range, drill ground, room, or other building used or required by any Volunteer Corps for storing arms and ammunition, rifle practice, or drill, or towards the construction or establishment of any such: Provided, That any order by justices be made by vote at their general Quarter Sessions, by any municipal corporation at some monthly or quarterly meeting of the Council, and by such trustees or commissioners at some meeting duly convened."

MR. HENLEY objected to the Amendment, on the ground that it would have the effect of casting additional burden upon the county rates, which was a horse, in his opinion, sufficiently laden already. The case of the militia force was different, inasmuch as it was generally a stationary force, whereas the Volunteer force was scattered all over counties. If the Amendment were agreed to, there might be demands for the establishment of fifty little armouries in one large county, involving a very heavy charge upon the county rates.

LORD ELCHO said, he did not think that such a provision was at all necessary, and he should recommend the hon. Gentleman not to press it. The fact that the provision was merely of an enabling character would in many cases give rise to discussions on the bench of magistrates, and would probably have the effect of making the Volunteer force unpopular. When the Commission inquired into the proposed grant of £1 per man, it was suggested that a portion of the money granted should be appropriated to rifle ranges required by the force. They should not try to get out of the country more than they felt themselves reasonably entitled to ask for.

SIR JOHN WALSH concurred in the objections urged against the Amendment, but thought it was worthy of the consideration of the Government whether some charge out of the general taxation of the country might not be made for the proper custody and preservation of the arms of the Volunteers.

Mr. H. A. BRUCE begged to remind the Committee that the militia force was the old constitutional force of the country, which the Crown had power at any time to call out, but the Volunteer force was one over which the Government had no control.

COLONEL SYKES also objected to the Amendment.

MR. HUMBERSTON said, that in deference to what seemed the general opinion of the Committee, he would withdraw his Amendment.

Motion *withdrawn.*

Clause *agreed to.*

Clauses 27 to 47 *agreed to,* with verbal Amendments.

Clause 48 (Interpretation).

On Motion of the Marquess of HARTINGTON, words inserted, "The Term 'Volunteer' means a Non-commissioned Officer or Private belonging to a Volunteer Corps, exclusive of the Permanent Staff thereof."

Clause, as amended, *agreed to.*

New Clause added in Part V., "Acquisition of Land for Ranges," excepting the Isle of Man.

THE MARQUESS OF HARTINGTON said, that it was not intended to diminish the allowances of clerks of lieutenancy; but as a misapprehension existed on that subject, it had been deemed advisable to substitute the old schedule in Lord Herbert's Act for the one in the present Bill. On the Report he would bring up the Schedule proposed.

House *resumed.*

Bill *reported;* as amended, to be considered on *Monday* next, and to be *printed.* [Bill 152.]

SUPPLY.—CIVIL SERVICE ESTIMATES.

SUPPLY *considered* in Committee.

(In the Committee.)

(1.) Motion made, and Question proposed,

"That a sum, not exceeding £5,329, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for the Maintenance and Repairs of Embassy Houses, &c. Abroad."

MR. W. WILLIAMS asked when there would be an end to expenditure on account of the Embassy houses at Constantinople and Therapia.

MR. COWPER said, that as long as the Ottoman Empire lasted, and as long as we maintained our Embassy there, we must pay for its accommodation.

MR. KINNAIRD said, he had great faith in the continuance of the Ottoman Empire, but deemed £3,000 a year an excessive outlay for the annual repairs of the Embassy houses.

MR. COWPER explained that the ordinary repairs amounted to about £2,000. The rest of the item was for special works.

MR. DODSON said, that after having spent some £80,000 in building a palace at Pera, we had had had to pay for a number of years past £2,000 annually to keep it from tumbling to pieces; and this year the repairs cost as much as £3,200. It would be much more economical to give the Ambassador an allowance for house accommodation.

SIR HARRY VERNEY said, the palace at Constantinople was built contrary to the opinion and wishes of Lord Stratford de Redcliffe; while the discomfort experienced in it and the want of consideration which marked all the proceedings connected with it were such as excited the greatest surprise among the European residents. The officer employed in its construction ought to be retained no longer.

VISCOUNT PALMERSTON said, it was impossible to hire a residence of a suitable character at Constantinople. Every Embassy had a house built for it. The present palace was the third which had been erected for the English Ambassador, the two previous residences having been burnt down. The present palace had been built upon plans approved by Parliament, and he believed it was a very convenient residence; but, of course, it required an annual sum for repairs. In England every gentleman had a certain charge every year, proportioned to the size of his house; and he did not think the sum wanted for the palace at Constantinople was at all beyond what was required.

MR. W. WILLIAMS said, that what he objected to was the continual increase in the sum asked for repairs. Then there was another item for a house at Therapia. He could not understand why our Ambassadors at Constantinople should require two residences. No man could live in more than one house. The answer of the Chief Commissioner was rather a bit of sharp practice than an explanation.

VISCOUNT PALMERSTON said, that in summer all the Turkish Ministers went to Therapia, which was a considerable distance from Pera, and it was necessary that our Ambassador should follow them. Moreover, Pera was so hot in summer that nobody could live in it with any comfort. The house at Therapia was given to our Ambassador by the late Sultan. It was not a large building, but still there was a certain amount of expense connected with it.

MR. W. WILLIAMS said, the palace in Pera stood on elevated ground, and commanded one of the most beautiful views in the world—on one side the whole of Constantinople and the Sea of Marmora, and on the other the entrance to the Black Sea. It was surrounded by immense grounds, and, on the whole, the house at Therapia was not to be compared with it for a moment.

MR. FERRAND inquired whether the architect was an Englishman or a Turk; and, if a Turk, whether he was placed under any control, or whether he could run up enormous bills annually, without any person to check any serious amount of expenditure which might arise.

MR. COWPER said, that the clerk of the works, resident at Constantinople was an Englishman, and perfectly competent for his position of trust. He was obliged to send home his estimates, and all the expenditure was carefully examined into by the assistant surveyor in the Office of Works. There was, therefore, as complete a control over it as if it took place in London. A great deal of the expense incurred was owing to the dearness of Constantinople, and also to the necessity of sending out some things from England. The palace at Pera, a large building, was the residence, not only of the Ambassador himself, but likewise of many of his Attachés; while the house at Therapia was in a rather dilapitated condition, and required a good deal of repair.

Mr. ROGERS asked what was the salary of the clerk of the works?

Mr. COWPER said it was £400 a year. His duties extended not merely to the building, but to the furniture.

Mr. DODSON thought the explanation of the Chief Commissioner disclosed a very unsatisfactory state of things. The clerk of the works might be a very competent man—he was certainly competent to run up enormous charges. It was impossible that the Office of Works in London could judge of the necessity of repairs and the cost of materials at Constantinople. Did the Chief Commisioner mean to say that bricks or stones were sent out from London? As the present charge was £1,200 above that of ordinary years, it would be satisfactory to know whether the palace at Pera had been newly furnished, and, if so, whether the Vote would be less next Session.

Mr. COWPER replied, that next year the Vote would be less by £1,000. The extra charge this year was owing to a new roof and some additional furniture.

Sir BALDWIN LEIGHTON said, he could not think it necessary that there should be two palaces, Pera and Therapia were not far apart—not more, if he recollected rightly, than three miles. [Viscount Palmerston: Six.] At all events, they were not very distant from each other by water. If the clerk of the works got £400 a year, he was bound to spend some £2,000 or £3,000 for it, because if he were to lay out only £400, the cry would be raised at once that he got 100 per cent. on his expenditure.

Colonel SYKES was persuaded, that if the Chief Commissioner were to dismiss the architect, he would save £2,000 per annum.

Lord ROBERT CECIL said, that the for the purpose of giving a practical effect to the discussion, he would move that the Vote be reduced by £400 a year, the amount of the salary of the clerk of the works.

Viscount PALMERSTON said, that if the Motion of the noble Lord were agreed to, our representative at Constantinople must employ a Turkish clerk of the works, who would make us pay twice as much.

Sir GEORGE BOWYER said, he did not believe that a Turkish clerk of the works would be more expensive than the present clerk. He wanted to know what necessity there was for any clerk of the works at all.

Mr. COWPER said, the houses and the furniture belonged to the Government. The Ambassador was only a resident. If there was no clerk of the works, the Ambassador must be allowed to exercise his discretion in the expenditure of money for repairs and furniture. It was most desirable that some person should be responsible for not expending more money than was absolutely necessary.

Sir GEORGE BOWYER asked, whether the Ambassador could not be trusted to spend the money requisite for repairs and furniture. Would any gentleman with a large house keep a clerk of the works at £400 to manage repairs?

Mr. FERRAND asked, whether there was a clerk of the works at a salary of £400 attached to all our Embassies? If not, why should there be one at Constantinople? He believed that the grossest jobbery went on in these matters. If the salary were stopped, he was convinced that the saving would not be under £1,000 a year.

Lord ROBERT CECIL said, the answer of the right hon. Gentleman opened up a frightful state of things. Nothing could be more preposterous than the supposition that the Board of Works in London could act as any check upon the expenditure of an official at Constantinople. That Board could know nothing about the prices on the spot, and of course the clerk of the works would run up a Bill.

Mr. PEACOCKE inquired, if it was really meant that the clerk of the works at Constantinople reported to the Board of Works in London, and that that was the sole check on the expenditure at Constantinople?

Mr. COWPER: Yes. The Board of Works had an assistant surveyor who had been at Constantinople. The Board of Works was not quite so ignorant of Constantinople as hon. Members seemed to imagine—they knew quite sufficient to be able to check any expenditure incurred there. The reason why a salary of £400 was given was because they could not expect an Englishman of any professional position to act as clerk of works at so great a distance for the same money as they could get him to do it in London; and if they did not employ such a man, they must be at the mercy of the local tradesmen, and that, he thought, would prove very bad economy.

Sir GEORGE BOWYER thought the Under Secretary for Foreign Affairs ought to resent this aspersion on the Turks. Were the people whom that hon. Gentleman the other day praised as the perfection of everything that was honest and gentlemanlike not to be trusted with the mere repairing and furnishing of the British Embassy house? He called upon the Under Secretary to stand up for his friends the Turks, and to say that they were honest tradesmen.

Viscount PALMERSTON said, he should like to know whether the hon. Baronet would turn loose upon his country house the carpenter, plumber, painter, glazier, and all those tradesmen, who would be only too happy to run up a large bill? Would he not rather employ somebody he could trust to regulate their operations, and see that they not only confined themselves to what was necessary, but did not charge unduly for it? It was asked whether there were clerks of the works at all our foreign missions; but it was only at Paris and Constantinople that we had houses. The usual arrangement was for the Ambassador to receive a sum of money with which to find himself a house; but at Constantinople it was impossible for him to do that, for there no house was to be had.

Mr. FERRAND begged to tell the noble Lord that he had heard it repeatedly said by Englishmen in Paris that gross jobbery went on in connection with our Embassy there.

Mr. HUBBARD thought it the wisest economy in such a case to have a clerk of the works. It was impossible for any country gentleman, and still less for an Ambassador, to act as a check upon tradesmen like a professional man.

Mr. DODSON said, that if economy had been the result of such an arrangement in this instance, that argument might have held good; but, unfortunately, it had led to extravagance. The right hon. Gentleman said, they could not trust the Ambassador with the expenditure upon the repair of his palace, and therefore they kept a clerk of the works. But how could such a man, with £400 a year, be any real check upon a person in the high position of an Ambassador if he chose to be extravagant? It was absurd to imagine that the Board of Works in London could exercise any efficient control in this case.

Lord JOHN BROWN asked, whether this was an Estimate for work to be done for the ensuing year, or for work already executed?

Mr. CHILDERS said, the French Government allocated a fixed sum of 52,000f. every year for the expense of its embassy buildings at Constantinople; and that amount was not exceeded. That was a much better arrangement than ours; and if we voted a fixed sum, say of £2,000 a year, for the whole of the mission building at Constantinople, the saving effected would be between £2,000 and £3,000 per annum.

Lord ROBERT CECIL said, the right hon. Gentleman had furnished his own refutation in the paper before the House. The clerk of the works at Constantinaple had £400 a year, while the charge for the clerk of the Works at Paris was only £185. The expenses at Constantinople might be greater, but it was absurd to suppose that it could exist in so great a proportion.

Mr. COWPER said, this was an Estimate of expenses for the ensuing year, and not a payment for the past year. The sum of £2,000 was for ordinary repairs, and £1,051 for what were called special repairs. With regard to the difference in the payment of the two clerks of the works, the officer at Constantinople was required to perform more difficult duties and to discharge a more considerable trust, and was therefore a man of a higher class, and received higher remuneration.

Motion made, and Question put,

"That a sum, not exceeding £4,929, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for the Maintenance and Repairs of Embassy Houses, &c. Abroad."

The Committee *divided*:—Ayes 74; Noes 68: Majority 6.

Original Question, as amended, put, and *agreed to*; as was also—

(2.) £748, British Consulate, Constantinople.

(3.) £30,000, to complete the sum for the New Foreign Office.

Mr. AUGUSTUS SMITH said, that the sum originally estimated as the cost of the New Foreign Office was £200,000. They had already voted £75,000, and this year £40,000 was asked, making together £115,000; and yet he observed in the last column a statement that there was a further sum required of £137,000. He wished for an explanation how that arose.

Mr. COWPER said, it was true that £75,000 had been already voted under this head; but that money was not in hand, what was unexpended having been repaid into the Exchequer on the 31st of March. The only money spent was £16,868, and the only work executed was in the foundations. The tenders had not yet been received for the building, and his purpose was not to allow any money to be expended on the building until he had a contract for its entire completion. He expected the tenders would come in shortly. The sum in this Estimate would be expended before March 1864.

Sir GEORGE BOWYER said, he could not understand how such a sum as £200,000 could be requisite to erect a Foreign Office. He remembered the old Foreign Office well, and it was for a great many years found sufficient for the service of the country. He thought that such a sum as £200,000 could not be expended for this purpose without the greatest extravagance. Taking into account the number of persons employed in the Foreign Office he thought £50,000 would be sufficient; and if the building was erected with simplicity and good proportions, it would be a great deal handsomer and more beautiful than a costly edifice. Proportion cost nothing, and next to proportion was simplicity. But the architects of this country did not seem to understand either. He was quite sure, that if anybody who understood architecture were to supervise the designs of this Foreign Office, he would find that there was an enormous expenditure in ornament and things which were of no use, and which would diminish and not increase the beauty of the building. He wished the hon. Gentleman would tell the House how many persons were to be employed in the Foreign Office that it was required to be of such a size.

Mr. Alderman SALOMONS said, the First Commissioner of Works had not explained the discrepancy pointed out by the hon. Member for Truro.

Mr. COWPER said, if his hon. Friend would add up the three sums in the last column he would find that they amounted to the sum in the first column, £200,000. In reply to the hon. Baronet, he had to say that this was a matter that had been before the House for seven or eight years, and it had been agreed to be necessary to have a building of the size proposed; the question had been repeatedly considered, and a division had been taken on the plans and elevation of the building, and the money had been voted three times over. It was too late now to retrace their steps.

Sir GEORGE BOWYER begged to remind the right hon. Gentleman that the question decided by the House was whether the building should be Gothic or Classic; but he thought that now, when they had come to vote the money, some explanation was required why such an immense building was necessary. The papers and records would not occupy much space. How many persons were to be employed, and were any residences to be attached? Was it intended that the Secretary of State for Foreign Affairs or the Under-Secretary should reside at the Foreign Office?

Mr. COWPER said, that all the details were to be found in the blue-books of 1857 and subsequent years. Those documents would give the size of the rooms and the amount of accommodation. There was to be no residence for the Foreign Secretary, but there were to be reception-rooms which might be used by the Foreign or other Ministers. There would be an extensive library, not only for documents in use, but for State papers during the last hundred years.

Lord ROBERT CECIL, having served upon one of the Committees referred to, doubted whether the blue-books would give the information asked for. The Committee did inquire into the nature of the building to be constructed, and they made a certain recommendation; but the noble Viscount at the head of the Government declined to carry it out, and having a preference for a different style of architecture, by a sort of *ukase* set aside the recommendation of the Committee. The amount under consideration was not very important, as, if the new Foreign Office were to be built upon the usual scale of our public offices, he thought we should be fortunate to escape for £300,000.

Viscount PALMERSTON said, the only change that had been made at his suggestion—which appeared to be distasteful to the noble Lord—was as to the elevation of the building. No change had been made in the distribution of the interior, which had been arranged by communication with persons connected with the Department, who had stated what were their requirements for the discharge of their public duties. The whole of that had been settled long ago.

Mr. CONINGHAM thought the country was indebted to the noble Lord for his *ukase*, because nothing could be more unsuited for the purpose than the Gothic style of architecture. At the same time, nothing could be more disagreeable to an architect who was an enthusiast for the Gothic than to have to abandon his own ideas and to carry out another style of architecture.

Vote *agreed to.*

The following Votes were also *agreed to*:—

(4.) £8,674, Industrial Museum, Edinburgh.

(5.) £1,459, Aberdeen University.

(6.) £22,000, Probate Court Registries.

(7.) £3,727, General Register House, Edinburgh.

(8.) £20,000, Public Record Repository.

(9.) £1,806, Court of Probate Principal Registry.

Mr. LYGON asked whether this sum formed part of the £70,000 required for the Registry. He also wished to know whether the Government had abandoned their intention of making the Registry a portion of the general scheme for the concentration of the Courts of Justice?

Mr. COWPER explained that this was merely a re-Vote to pay the rent of some houses in Knight Rider Street, forming part of the establishment for Wills and Probate Registry, and was a temporary arrangement. He hoped that shortly some better accommodation would be provided. The views of the Government in respect to a concentration of the courts of justice had not been abandoned.

Mr. LYGON remarked that by a previous Vote £1,750 was taken for rent, &c. for the Principal Registry at Doctors' Commons. If the General Registry of Wills were to form part of the scheme for the Courts of Justice, why go to further expense now?

Mr. COWPER said, this amount was to meet the expense of hiring certain houses which were required for a temporary purpose.

Mr. LYGON observed, that the total Estimate for the office was set at £70,000, of which £33,194 had been expended. Only £1,800 was now asked, and the future requirement was set down at *nil.* What did that mean? Was there to be any further demand?

Mr. COWPER: No. When the amount was originally fixed, it had been intended to make a permanent arrangement at Doctors' Commons; but subsequently that view had been altered, and a more satisfactory and permanent arrangement contemplated by placing the Registry in connection with the courts of law and other offices.

Mr. LYGON observed, that the right hon. Gentleman had now shifted his ground. The £70,000 had been originally voted for a permanent arrangement with Doctors' Commons; but the right hon. Gentleman now told them that the original plan was abandoned, and that they were to spend £35,000 on a temporary arrangement. He wished to know whether that £35,000 would include half the plan originally contemplated?

Mr. COWPER said, that according to the original plan for providing a Registry for the Probate and Admiralty Courts, it was calculated that it would be necessary to buy premises to the amount of £70,000, but on consideration it was thought sufficient to buy premises to the amount of £35,000 only. For the present that arrangement was quite satisfactory; but hereafter when it became necessary to make a permanent arrangement to supply the ever-increasing wants of the Registry, instead of going on buying more property it was thought that the best course would be to sell this property, which was extremely valuable, and place Registry in connection with the courts of law.

Sir STAFFORD NORTHCOTE asked whether the £35,000 bought half of Doctors' Commons.

Mr. COWPER thought certainly more than one half.

Mr. LYGON asked whether this Vote was to be taken as committing the Committee to the propriety of abandoning the rest of the site of Doctors' Commons, supposing that at some time it should be decided that that was the best site for the Registry.

Mr. COWPER did not think that any

such inference could be drawn. All that the Vote was asked for was to secure those houses in Knight Rider Street.

Vote *agreed to.*

(10.) £1,500, Site of the New Foreign Office.

MR. AUGUSTUS SMITH called in question payments to the Woods and Forests on account of Land which had been devoted to the public service for centuries without acknowledgment.

MR. COWPER said, the Commissioners of Woods and Forests rightly considered it their duty to require payment from the Government for land that was to be appropriated for a public purpose, just as much as they would from a private person.

MR. AUGUSTUS SMITH said, that the principle was new, and had been acted on only during the last ten years. When the National Gallery was built on the site of the old Royal Mews, there was no such payment. He hoped the House would allow a Committee to inquire into the way these charges were put upon the public purse for the benefit of the Crown hereafter.

MR. ALDERMAN SALOMONS asked, whether the purchase money was paid into the Exchequer?

MR. COWPER thought everybody knew that. Formerly it was the custom to use balances of the Land Revenue when necessary for expenses connected with public buildings or public parks; but Parliament in 1851 directed that the Land Revenues should be kept entirely separate, and that all the expenses of public buildings should be defrayed by Votes in Committee of Supply; consequently all such purchase monies would be paid into the Exchequer. It was a mere matter of account. Whenever any land belonging to the hereditary Land Revenue was disposed of for public purposes, the Commissioners of Woods and Forests considered it their duty to require payment, just as they would if it were sold for private purposes. It would be highly culpable in them to act on any other system.

MR. O'REILLY said, that whatever was added to the land went with the land; and therefore if the hereditary property of the Crown was resumed by the Crown, the buildings upon it would be taken. He wished to know what was the tenure upon which the expenditure of public money was incurred—in plain English, what was the building lease?

MR. COWPER said, there was no building lease. The land was bought in fee simple. The money paid became capital in the hands of the Commissioners of Land Revenue, and the interest of that capital was paid into the Exchequer.

Vote *agreed to.*

(11.) £12,000, Westminster Bridge Approaches.

MR. W. WILLIAMS asked, what it was to be paid for.

MR. COWPER said, this money was intended to complete the purchase of the houses on the south side of Bridge Street, and when the purchases were completed, the Government would make a proposition to the House on the subject; but that could not possibly occur before next year.

MR. THOMSON HANKEY thought the Vote ought not to pass without the Committee hearing from the right hon. Gentleman what was the intention of the Government as to the continuation of the Houses of Parliament from the Clock Tower, on the south side of Bridge Street. Was the original scheme of Sir Charles Barry altogether abandoned, and had any new scheme taken its place?

SIR JOHN SHELLEY asked, whether any arrangement had been come to with the proprietor of Fendall's Hotel?

MR. COWPER said, this sum was intended to cover all the amount of purchase money which it was at all probable would be required to purchase all the houses, including Fendall's Hotel. At present, there were no negotiations on foot with the proprietor; but his lease terminated in June of next year. He thought, it would be very unwise to enter into a discussion of what might hereafter be proposed to be done in New Palace Yard. It was quite clear that such a proposal ought to be deliberately considered and carefully detailed, and he thought it better to leave next year's work until next year.

In reply to Sir STAFFORD NORTHCOTE,

MR. COWPER said, it was believed that this £12,000 would accomplish all that was wanted; but if the juries should award a larger amount of compensation than was anticipated, a further sum must be voted next year.

Vote *agreed to.*

(12.) £12,357, to complete the sum for New Westminster Bridge.

Mr. Alderman SALOMONS asked, whether £2,107 was to be the annual charge for watering, cleansing, and maintaining the Bridge, and £250 for police?

Mr. COWPER said, the police were employed at the two ends of the bridge to insure the separation of the traffic, and to enable the lighter vehicles to pass unimpeded on either side of the heavy and slow traffic. The bridge estate, now vested in the Commissioner of Works, produced more than the annual expense; but he believed the £2,107 would be required every year for the maintenance of the roadway and footpaths, and lighting the bridge with gas. The first item in this Vote comprised all the works necessary to complete the bridge and its approaches. Landing-stairs would be required, and the two sides, both in Surrey and Westminster, were unfinished. Although large receipts were coming in from the sale of plant, they could not be brought to the account of this Vote, but must be paid into the Exchequer. As to the approaches to the steamboats, the works were suspended until the embankment should be in a more advanced state.

Sir JOHN SHELLEY asked, whether the Board of Works intended to do anything with the steamboat piers on the Surrey side at once, or whether the work would be deferred till the southern embankment was completed?

Mr. COWPER replied that the latter course would be pursued.

Mr. CHILDERS complained of the inconvenience arising from the slow traffic running over the bridge being placed at the middle instead of at the sides as at London Bridge.

Mr. THOMSON HANKEY asked, why the charge of £250 for police employed on the bridge was not paid out of the general rates, as in other parts of the metropolis?

Mr. Alderman SALOMONS said, there were certain estates connected with the bridge, and wished to know what had become of the revenues derived from those estates? Why were not the expenses of lighting and police for it paid out of them?

Mr. COWPER replied, that the property in question consisted of houses, and had been vested in the Commissioners of Works in consideration of certain monies expended on the bridge. The receipts from it could not now be directly applied to the purposes to which the hon. Gentleman referred. With respect to the employment of the police on the bridge, he might observe that the usual course was taken. They were stationed on it for the purpose of directing the traffic, and were thus removed from their ordinary beats. It was deemed right, therefore, that they should be paid the sum named. As to the inconvenience caused by the way in which the traffic over the bridge ran, he must admit that it was a point on which some difference of opinion might very naturally prevail. Mr. Page, the engineer, thought it would be better the heavy traffic should run in the centre, and it would not now be desirable to make any change in its course.

Mr. Alderman SALOMONS asked, what was the amount of bridge property in the hands of the Exchequer?

Mr. COWPER: I am not quite sure. I believe about £10,000 a year.

Vote *agreed to;* as was also—

(13.) £983, National Gallery, Dublin.

Mr. W. WILLIAMS moved that the Chairman report progress.

Motion made, and Question proposed, "That the Chairman report Progress."

Lord ROBERT CECIL hoped, that as the Vote upon the threshold of which the Committee now stood—that for Harbours of Refuge—was a very important one, due notice would be given of the time when it would come on, in order that the sense of the House might be fully expressed upon it. It was not fitting, he contended, that the question of proceeding with the harbour at Alderney should be hurried over at the dinner-hour, or at any other time when it would not be likely to obtain a due amount of consideration.

Sir JAMES ELPHINSTONE also expressed a hope that an ample opportunity of discussing the next Vote would be afforded.

Sir STAFFORD NORTHCOTE asked, whether Supply would be taken again next evening?

Viscount PALMERSTON: We propose to go on with Supply to-morrow, if we can get to it.

Lord ROBERT CECIL: Does the noble Lord intend to bring on the question of Alderney to-morrow evening after all the other Motions have been disposed of?

Mr. WYKEHAM MARTIN trusted the Government would not go on with Supply to-morrow. There were Questions enough on the Motion for going into Committee to occupy the House for a fortnight.

Lord CLAUD HAMILTON wished to know when the Civil Bills Courts (Ireland) would be brought on.

Sir ROBERT PEEL: To-morrow, after the Notices of Motion on going into Supply.

Viscount PALMERSTON: We should not ask the House to go into Committee of Supply to-morrow evening, say after ten o'clock.

Mr. CONINGHAM asked, whether it was intended to go on with the Vote for Harbours of Refuge to-morrow?

Viscount PALMERSTON: We shall take the Votes in their order.

Motion *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

DRAINAGE AND IMPROVEMENT OF LAND (IRELAND) BILL—[Bill 106.]

CONSIDERATION.

Order for Consideration, as amended, read.

Mr. PEEL stated, that he desired to introduce Amendments providing that the powers which in the Bill were conferred upon the arbitrator should be exercised by the Board of Public Works.

Motion made, and Question proposed, "That the Bill, as amended, be now taken into Consideration."

Mr. SCULLY said, the Secretary to the Treasury proposed to introduce an entire page of Amendments into a Bill containing seventy-nine clauses, of which no explanation had been given, either by the Chief Secretary for Ireland or the Attorney General. Practically, this Bill was the same which had been originally introduced by the hon. and gallant Member for Limerick (Colonel Dickson), passed with little discussion through the House of Commons, and cut down to very narrow dimensions in the Lords. It proposed to carve Ireland into petty drainage districts, which would find employment for local attorneys, local surveyors, local engineers, and professional men of all kinds, to the neglect of any comprehensive and beneficial scheme of arterial drainage. The Bill was founded on an entirely misconceived idea of the principle of drainage on a large scale. Drainage, to be effectual, should commence at the lowest outfall, and the works beginning near the sea should be extended upwards to the higher levels. It was not respectful to the House of Lords to pass without discussion a measure upon which they had already pronounced an opinion in the present Session. ["Divide!"] If hon. Gentleman wished to divide, he was quite prepared to do so. In order to carry out their wishes, he would himself move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Scully.*)

Mr. PEEL said, he hoped the hon. and learned Gentleman would not persevere in in his opposition. The Bill conferred no new powers on the Board of Works in Ireland. He had very little doubt it would meet with the approval of the other House, and confer great benefit on Ireland.

Mr. MACEVOY begged the hon. and learned Member for Cork not to delay a useful measure and one that was very much wanted in Ireland.

Mr. BAGWELL expressed a hope that the hon. and learned Member for Cork would not press his Amendment. No drainage could be effected in Ireland without the system of arterial drainage provided by this Bill.

Motion, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill, as amended, *considered;* Amendments made; to be read 3° *To-morrow.*

WATCHMEN IN TOWNS (IRELAND) BILL. [Bill 102.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Bagwell.*)

Sir ROBERT PEEL said, it would be impossible for the Government to agree to this Bill, which revived the old system of "Charleys" with their lanterns in the town of Clonmel. He moved that it be committed that day three months.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day three months, resolve itself into the said Committee,"—(*Sir Robert Peel,*)

—instead thereof.

Mr. BAGWELL said, he would read a letter, the writer of which stated that he saw no objection to the Bill, and would give the hon. Gentleman who introduced it all the assistance in his power. That letter was signed "Robert Peel."

SIR ROBERT PEEL said, he would admit the letter was in his handwriting. He at first saw nothing objectionable in the Bill; but he had since communicated with the authorities in Ireland, who thought it would be impracticable to have watchmen under the town commissioners of Clonmel and the county constabulary besides. He had promised his hon. Friend all the assistance in his power, but unfortunately he found he could not give it him to carry through his measure.

MR. O'REILLY said, he should support this Bill on its merits, and because it was necessary the local authorities should have the power of appointing these watchmen.

MR. HASSARD said, Irish Members were placed in a difficult position by the conduct of the Government—they did not know to whom to look for advice.

MR. O'HAGAN (ATTORNEY GENERAL for IRELAND) said, his right hon. Friend, having consulted the proper authorities, found that they were of opinion that the Bill would not work. He could not consent to make himself responsible for the Bill.

SIR GEORGE GREY said, the objection to the Bill was that the two police authorities that would be established in the same town if the Bill passed would not work in harmony.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to*.

Main Question put, and *agreed to*.

Bill *considered* in Committee, and *reported*, without Amendment; to be read 3° *To-morrow.*

House adjourned at a quarter before Two.

HOUSE OF LORDS,

Friday, June 5, 1863.

MINUTES.]—SELECT COMMITTEE—Telegraphs Bill, Earl of Airlie *added**.

PUBLIC BILLS—*Second Reading*—Vaccination (Ireland) (No. 108); Bakehouses Regulation (No. 85).

Committee—Duchy of Cornwall Management [H.L.] (No. 106, 118), *on re-commitment.*

Mr. Bagwell

DUCHY OF CORNWALL MANAGEMENT BILL [H.L.]—(No. 106.)

COMMITTEE.

Order of the Day for the House to go into Committee (on Re-Commitment) read.

THE DUKE OF NEWCASTLE, in moving that the House go into Committee upon the Bill, said he would remind their Lordships that the Bill had been read a second time shortly before the recess, and had been passed through Committee *pro formâ*, upon the understanding that the discussion of the principle of the measure should be taken at the present stage. At the beginning of the present Session their Lordships gave their unanimous assent to a Bill brought up from the Commons, the object of which was to grant an annuity to the Prince of Wales in aid of the income which he now derived from the Duchy of Cornwall. On that measure some debate arose in the other House, and allusions were made to a Report of the Duchy of Cornwall Council which had been presented to Her Majesty on the attainment of his majority by the Prince. That Report gave an account of the progress of the property during the previous twenty-one years, and also made certain recommendations as to its future management. An assurance was then given, on the part of the Ministers of the Crown, that in the course of the present Session a measure would be introduced for the purpose of carrying into effect those recommendations, and the present Bill was introduced for that purpose. The property was held by the Princes of Wales under a very remarkable charter of Edward III., by which that Sovereign made over the estates of the Duchy to his eldest son, the Black Prince. One great object of the charter was to render the property inalienable. That intention, however, could not be practically carried into effect without experiencing great inconvenience. So stringent were the provisions for securing inalienability, that it was held that the Princes of Wales, under the charter, had no power to grant leases which should be valid beyond their own lives. The consequence of this was that the leases would be of no value to the holders, and it became necessary, upon the birth of each successive Prince of Wales, that Parliament should intervene and grant powers of leasing which were contrary to the supposed literal meaning of the charter. Under those powers arose, perhaps unavoidably, those abuses arising from the system of granting leases for lives with fines, which always resulted in the great deterioration of any property the subject of them, and of which their Lordships had a striking instance some few years ago. That kind of lease which they had only got rid of within the last twenty-five years in regard to ecclesiastical property prevailed all over the property of the Duchy down to the birth of the present Prince of Wales. Leases for lives were granted, and the revenue was anticipated by the fines upon renewal. By these means the revenue of the property was so much deteriorated that during the reigns of George IV. and William IV., taking an average of fifty years, the revenue was little more than £16,000 a year, and upon the accession of Queen Victoria it did not exceed £11,000. When the present Prince of Wales was born, the question arose whether any change should be introduced into the law with a view to the better administration of the property; but it was considered, that inasmuch as it would not be fair to bind His Royal Highness beyond the period of his minority, it was desirable to pass such a measure as had been proposed in the case of previous Princes of Wales, and to meet the evil in another way. Within a few months of the birth of the Prince of Wales a Council was appointed to administer the affairs of the Duchy, consisting of the principal officers of the Duchy at the time—all of whom were since dead—and some non-official members, of whom two continued up to the present time. The Council was presided over by His Royal Highness the late Prince Consort; and he (the Duke of Newcastle) might here be permitted to repeat the testimony borne in the last Report of the Council to the valuable assistance which those who were charged with the management of the Duchy property had derived from his counsel and assistance. Upon the appointment of the Council certain rules were prescribed by Her Majesty, regulating the future management of the property, and, amongst other restrictions, it was directed that the Council should abandon as far as possible the granting of leases for lives upon the payment of large fines, and that the more modern and satisfactory practice of leasing for terms of years should be adopted in every case where it was possible. These instructions had been carefully adhered to; and the result of that system of management was that the revenue of the Duchy at this moment was about £50,000, and there was every prospect of considerable improvement. In this estimate he did not take into account the accumulations which had been made during the minority of the Prince of Wales through an act of self-denial on the part of Her Majesty for which the country was deeply indebted to her. Whereas, during the minority of George IV., George III. received the whole of the revenues of the Duchy, Her Majesty, on the contrary, from the birth of the Prince of Wales, directed the Council to hand over year by year all the surplus revenue of the Duchy to trustees for the benefit of His Royal Highness; and these accumulations amounted in November last, when the Prince attained his majority, to the large sum of £500,000. Every farthing of that sum was a saving to the country; for had it not existed, Parliament would have been called upon to make a much more considerable grant to His Royal Highness than had been done. The Act of 1842 gave to the Prince of Wales the same powers that were possessed by Princes of Wales under previous Acts. But this Act and the letters patent of Her Majesty directing the Council to proceed in a certain way could only operate during the minority of the Prince, and could not bind him after he attained his majority. When, therefore, his Royal Highness came of age, the Act of 1842 no longer continued in force, and it was competent to his Royal Highness at this moment to renew the pernicious system of granting leases for lives which had formerly prevailed. The Report of the Council to which he had referred recommended, that with a view to prevent the revival of that practice which had so materially deteriorated the property, and to the permanence of that system which had so greatly improved it, an Act of Parliament should be passed restraining Princes of Wales and all future possessors of the Duchy property from resorting again to that practice. If the Prince of Wales had been either selfish or narrow-minded, he could have insisted upon retaining those powers which the Act of 1842 gave him. But, upon the recommendation of the Council being brought under their notice, both Her Majesty and the Prince of Wales gave their ready and earnest consent to the introduction of a Bill of the character of that which he now proposed. By this Bill, in future, no leases of land could be granted for a longer term than thirty-one years without fine, nor of leases for building or the improvement of waste lands for a longer term than ninety-nine years; and the Bill also authorized the sale and exchange of lands under certain conditions. These two provisions contained the principle of the Bill. The Duchy property being scattered over the whole country, and thereby expensive to manage, and inconvenient for many purposes, it was considered in 1844 very desirable to grant power to the Council of the Duchy to sell lands and invest the proceeds of such sales in the purchase of other lands, with the view of consolidating the estates. This power was put in operation as far as circumstances would allow; but their Lordships would see that at the commencement of such a system there would be a great deal of property of which parties held beneficial leases, and that it would be undesirable to sell the reversionary interest in such property, and that therefore but few transactions of that nature could occur for the first few years. About two-thirds of the property were still held under beneficial leases, and therefore the great benefit to be derived from the system was yet to come. The success, however, which had attended the practice so far as it could be carried into effect showed that not only could the advantage of consolidation be attained, but that it would be accompanied by the further advantage of an increase of revenue. It was therefore clearly desirable that the existing powers should be continued, and this Bill proposed to continue them. But as the general operation of the Bill was without limit in point of time, and as the great object was not the alienation of property, but to consolidate the estates, the Council considered that it would be better to limit the power of sale to thirty-one years, within which time they thought they might very nearly complete the object which they had in view, that if at the expiration of that time a renewal of those powers should be necessary, there would be no difficulty in applying to Parliament to renew them. By the Bill of 1844 no sales of property could be effected, except with the consent of the Treasury, and by a clause in the present Bill that consent would be required to any sale or exchange of lands belonging to the Duchy. By the 11th clause it was provided that in all cases of such sales the proceeds should be re-invested for the benefit of the Duchy, or be appropriated to the extinction of land tax, or to some object equivalent to its re-investment in land; and there was a provision enabling the Prince of Wales to appropriate a certain amount of the capital sum so derived from sales to effect improvements upon the estates. The property having been let upon leases for lives was liable to all the disadvantages resulting from such a tenure; and when renewals were refused, the property was, of course, suffered to fall into decay, and when it came into the hands of the Prince of Wales would be found to be in a very dilapidated condition. In order to render productive the property thus reduced in value a large outlay was requisite, and the Bill provided the funds for the outlay by enabling the proceeds of sales to be employed for that purpose, but limited to the amount of £30,000 at any one time. The money thus borrowed was to be repaid to the *corpus* of the estate by annual instalments extending over thirty years. The money invested for these purposes might be considered as self-lent, the money being derived from the Prince's own funds instead of being borrowed from other sources. Clause 12 gave power to grant annuities in compensation upon the surrender of existing rights under leases; this provision being adopted because in some cases the widows of lessees were found to possess rights which led to difficulties. With reference to Clauses 13 and 21, he might observe that one great object of the Council had been to avoid litigation, and the result of their endeavours had been to reduce the law expenses from some thousands to between £300 and £400 a year. In order, however, to carry out that desire, it was necessary to provide additional means for settling disputes, and by these clauses additional powers were given to make arrangements and compromises and to refer disputes to arbitration. By another clause power was given to exchange mineral rights in cases where it would be convenient to do so. He had now given to their Lordships an outline of the main provisions of the Bill; the two leading objects being the consolidation and the better administration of the property belonging to the Duchy. He had pleasure in knowing that the measure had in a great degree elicited the approbation of those who were much interested in its administration, as well as of the Prince of Wales and those connected with the property itself. He held in his hand a letter from a very eminent solicitor in Cornwall, who had been very frequently brought into collision with the Duchy an account of the numerous and respectable clients he had in that county—

The Duke of Newcastle

a gentleman who had always shown the greatest fairness and honourable spirit. That gentleman wrote in this way of the Bill—

> "I have had sent to me by some of the Members of Parliament connected with Cornwall the Duchy Management Bill, and, after perusing it, I cannot help (and you will not think me presumptuous, I hope, in doing so) congratulating you on constructing a Bill which appears to me to embrace so fairly and comprehensively all the wants of the Duchy and the public. I naturally, as you will imagine, looked for the powers authorizing allowances for disputed title, improvements, &c.; and, in my poor judgment, you have placed these points on the most unobjectionable footing in Clauses 3, 19, and 21."

It was very pleasing to receive a communication of that kind, because it showed that those who took a fair and liberal, and, at the same time, a strict view of the mutual rights of the Duchy and the public were satisfied with this attempt, incidentally perhaps, to settle a great many questions which had created a good deal of excitement and annoyance. At the same time, he believed, if passed into a law, it would greatly increase the future revenues of the Duchy of Cornwall. He begged to move the re-commitment of the Bill.

LORD BROUGHAM said, that he felt bound, in justice to the noble Duke, and in justice to the illustrious Prince whose loss they so deeply deplored, to bear testimony to the truth of his noble Friend's statement as to the benefit which the Duchy had derived from His Royal Highness's superintendence. He had occasion to know of the great talents and singular acuteness of that illustrious Prince, having been summoned to attend a meeting of the Duchy Council, as an assessor, when a case of very great nicety and an argument of great difficulty was held before them; and he must say, that during the whole course of that argument the Prince's acuteness, discrimination, and well-weighing of the various points of the argument, astonished him—it was, indeed, as though he had been a lawyer, instead of a layman, insomuch that he recollected stating to Lord Lyndhurst afterwards, that though the assessors hung up the matter for judgment, the Prince himself might have given it at once.

LORD REDESDALE thought that there were some points which required attention in reference to this Bill. Clause 8 conferred power on incapacitated persons to convey and surrender property to the Duke of Cornwall. He thought that some limitation should be placed upon the terms granting this power, and hoped that some Amendment in reference to this would be submitted to them. He thought also that there was some difficulty in reference to Clause 39. By the 7 & 8 *Vict.*, power was given to make grants of certain lands for the purposes of churches, chapels, burial grounds, schools, &c.; and, of course, it was intended that these chapels and schools should be in connection with the Established Church. The clause to which he now adverted, however, enacted that the word "chapel" should include any building used for Divine worship by any denomination of Christians. As this was the first time that they had been asked out of the Crown property to endow Dissent, he thought that the principle was one which should not be lightly sanctioned.

LORD PORTMAN considered it a matter of no small consequence to facilitate the granting of sites for chapels unconnected with the Established Church. It was well known to those who lived in the West of England that there were very large districts where the Wesleyan Methodists were the only parties who had till lately paid any attention to the religious instruction of the people. The great services of the Wesleyan Methodists in the Duchy of Cornwall were well known. Every landowner had it in his own power to give facilities for the erection of chapels to Wesleyan Methodists; and surely there ought to be some mode by which similar facilities should be given in the Duchy. Having had the honour of being intrusted with the care of property in the Duchy of Cornwall for twenty-six years—having, on the accession of the Queen, been asked by Lord Melbourne to look into its affairs, he was therefore in a position to compare the past with the present. He found the property of the Duchy—to use an expressive term—in a great mess; he rejoiced to think it had so entirely recovered through the eminent exertions and abilities of the late Prince Consort, who had for so long a period continuously and most carefully watched over its administration, and had created order out of confusion; and the result was the present vastly-increased value of the property. When their Lordships went into Committee, he had no doubt the various points which had been raised would be carefully considered.

LORD CHURSTON said, he had considered this Bill with great care, and was bound to say he believed it would be hailed with great satisfaction in Cornwall and Devon.

Motion *agreed to:* House in Committee

Clauses 1 to 7 *agreed to.*

Clause 8 (Incapacitated Persons empowered to convey).

LORD CHELMSFORD said, this clause empowered corporations, the trustees of infants, and persons under disability to dispose of property in which they might be interested to the Duchy; and that the conveyance should be as good and effectual in law as if made by a person absolutely entitled and under no incapacity. He did not see why there should be a power for the benefit of the Duchy which no other owners of property possessed. No doubt there was such a clause in railway Acts, but that was inserted for a particular purpose only. Again, in the Act of 1844 there was a similar clause, to render valid transactions of this kind; but that Act was of a temporary nature, whereas this Bill would give a permanent power. He maintained that the clause contained a dangerous power.

THE DUKE OF NEWCASTLE said, the provisions in this respect of the present Bill were precisely similar to the Act of 1844. It was said by the noble and learned Lord (Lord Chelmsford) that the Act of 1844 was temporary, and not an Act in perpetuity; but this very Bill was also temporary; for in the previous clause words were introduced limiting the power to purchase to thirty-one years, instead of twenty-one years, as in the Act of 1844.

LORD CHELMSFORD: This Bill refers to purchases; the former Act referred to sales.

THE DUKE OF NEWCASTLE: The provisions of this Bill are quite as necessary and advantageous now as they were in 1844; and so far from being anomalous similar provisions were to be found in the Lands Clauses Consolidation Act, and in the Act 10 *Geo.* IV., c. 50, which regulated the administration of Crown lands. He was willing to introduce into this Bill, as a further security, clauses in the same terms as those in the Lands Clauses Consolidation Act and the 10 *Geo.* IV., under which the value of land proposed to be purchased was to be ascertained by two competent surveyors, one to be nominated by the Duke of Cornwall and the other by the sellers.

THE LORD CHANCELLOR was understood to say that the objection taken by the hon. and learned Lord deserved careful consideration, and that the power proposed to be given ~~to~~ persons under disability would require to be accompanied with greater safeguards.

Clause *agreed to.*

Clauses 9 to 38 *agreed to.*

Clause 39 (Proviso as to Grants of Land for Sites of Churches, &c.).

LORD CHELMSFORD said, the object of the clause was to enable the Dukes of Cornwall to give any building proper to be used as a church or chapel, and any house proper for the residence of the spiritual person who might serve such church or chapel for the proposed purposes. Now, the Act of 1844 empowered the Duke of Cornwall to

> "Give and grant to and vest in any Person or Body Politic or Corporate, his or their Heirs, Executors, Administrators, or Successors, any Building proper to be used as or converted into a Church or Chapel or a Parochial or District School, and any Ground proper for the Site of any Church or Chapel, with or without a Cemetery or Burial Ground thereto, and any Ground proper for a Cemetery or Burial Ground to any Church or Chapel, and any House with its Appurtenances, and with or without a Garden thereto, proper for the Residence of the Spiritual Person who may serve such Church or Chapel, or of the Master or Mistress of such School, and any Ground proper for the Site or Sites of any such Residence or of any Parochial or District School, but with a Restriction that not more than Five Acres be comprised in any One Grant for any of the Purposes aforesaid, or Premises in any One Instance be granted which exceed in Value the Sum of Three hundred Pounds."

These words, by necessary implication of law, were interpreted to mean that these grants might be made to chapels, schools, and so on in connection with the Established Church. The words of this clause, however, gave a new interpretation to the old statute, for it proposed to extend the power to granting lands to all classes of Dissenters. The clause, after reciting the twenty-sixth section of the Act of 1844, proceeded—

> "And be it declared and enacted that the Word Chapel in such Twenty-sixth Section is intended to include any Building used or intended to be used for the Public Worship of Almighty God by any Denomination of Christians, and that the Authority thereby given to grant any House with its Appurtenances, and with or without a Garden thereto, proper for the Residence of the Spiritual Person who may serve such Church or Chapel, or of the Master or Mistress of such School, or any Ground proper for the Site or Sites of any such Residence, shall be construed to extend to the Grant of a Residence or Site for a Residence of a Spiritual Person serving any Church or Chapel, or of the Master or Mistress of any School."

He objected to make the alteration proposed in such an extraordinary way, and to put this new interpretation on the Act of 1844. His noble Friend (Lord Portman) said the clause was merely giving to the Dukes of Cornwall a power which every landowner possessed. That might be true; but their Lordships were now called on by an Act of the Legislature to recognise a power in the Duke of Cornwall to endow Dissenters of any denomination. He (Lord Chelmsford) asked why they should be called on to legislate under such circumstances. His noble Friend said that the Wesleyans were of great service in that part of the country, and that it was important to facilitate the grant to them of sites for places of worship. Now, if the clause were confined to the Wesleyans, there might be no objection to it; but, in point of fact, this clause contemplated the granting of sites for the public worship of Almighty God by any denomination of Christians. Why was there to be a legislative recognition of the title of Dissenters to have this privilege conferred on them? There was no necessity for it, because the Duke of Cornwall had power to grant building leases for ninety-nine years, and there was nothing to restrain him from granting such leases to persons of any denomination.

THE DUKE OF NEWCASTLE regretted that this question had been raised in connection with a Bill to settle the property of the Prince of Wales. He could not conceive any means more likely to make the name of the Prince of Wales, or anything connected with his property, more odious than for their Lordships to refuse the power proposed in this clause. It was not his intention to go into a legal question. He believed the noble and learned Lord was right, although an eminent conveyancer had expressed the opinion that the meaning of the Act of 1844 was very doubtful; but he must say, that if they were to deprive the Prince of Wales of the power of granting sites for the erection of Wesleyan chapels in some portions of the Duchy of Cornwall, they would shut out the whole population from any religious instruction whatever. Many districts were peopled by a population every man of whom was a Nonconformist, and it would be very hard to say, that while they were willing to give a power to grant leases for chapels connected with the Church of England in parts where there were no Churchmen they would refuse to confer a similar power in the case of denominations which included all the inhabitants without exception. The noble and learned Lord had said, that the clause would be less objectionable if confined to Wesleyans; but that was giving up the principle for which the noble and learned Lord had contended—namely, the exclusion of all Dissenters from State endowment. It seemed, too, that the law might be evaded by granting leases for ninety-nine years for Nonconformist chapels. On what principle, he would like to know, were their Lordships to legislate? Was it right that no body of Christians, unconnected with the Church should receive the advantages of a site, or were their Lordships to recognise the maxim that property had its duties as well as its rights? Considering what scandal had been created in Scotland, some years ago, by the refusal of sites to the Free Church, he trusted their Lordships would not place the Prince of Wales in a position in which he would be compelled to prevent the erection of Dissenting chapels.

LORD CHELMSFORD said, that what he objected to was the power taken by the Duchy to grant an endowment to the extent of £300.

THE DUKE OF NEWCASTLE said, the power taken was not to give an endowment, but to grant a site not exceeding the value of £300. The gift in fee simple was no more an endowment than the granting of a lease. Both had their value, and the principle was the same in each case.

LORD ST. LEONARDS hoped, considering the position of the Duke of Cornwall and the inconvenience that might arise from the rejection of the clause, that the objection would not be persevered in, and thought that by a verbal alteration the difficulties referred to might be removed.

EARL POWIS said, that the clause was drawn in as offensive a manner to the Established Church as it well could be. Upon the question of chapels he would say nothing; but why was a special *privilegium* necessary to enable the Duke of Cornwall to grant sites for schools? Would it not be sufficient to give to the Duke of Cornwall the same power to avail himself of the various School Sites Acts which every ordinary proprietor of land in the country possessed? In that case, when the site ceased to be used for the purposes for which it was granted, it would revert *ipso facto* to the Duchy, without the necessity for further powers to that effect in another part of the Bill.

The Marquess of BATH said, that this clause would give greater powers to the Duke of Cornwall with regard to sites for parsonage houses, and, he thought, schools also, than was possessed by other owners of settled estates. If they could not give a site, they could sell it, as he knew from his own experience. The noble Duke talked of the odium of rejecting the clause; but he thought the danger of this clause was the very false position in which it might put the Duke of Cornwall. He knew that in Wiltshire and Somersetshire, the Duke of Cornwall had no extended property in any one place—it consisted mainly of small and scattered estates. There was often in practice great difficulty, as regarded the Church of England, in refusing grants of this sort, which the owners of land considered it hardly just to give, and yet did not like to refuse. But if, in addition to the Church of England, they had applications from every religious body, the difficulty would be greatly increased. In order to save the Duchy from the odium of refusing demands of this sort, some modification should certainly be made in the clause.

Lord CHELMSFORD said, he certainly had no intention to divide the Committee upon the clause. He was first struck with the objectionable mode in which the clause was worded, and then by the formal recognition, if not endowment of Dissent. He suggested that the objectionable form of the clause might be got rid of by the use of more general terms, and the purpose his noble Friend had in view accomplished.

The Duke of NEWCASTLE said, it was difficult to appreciate the difference which existed between the Duchy and private property. The clause now before the Committee had been drawn after nineteen years' experience of the working of the Act of 1844, and he did not think that the objects in view could be attained in any better way. If, however, upon the Report any noble Lord would place an Amendment upon the paper, it should receive every consideration on the part of the Council of the Duchy.

An Amendment made.

Clause, as amended, *agreed to.*

Remaining Clauses *agreed to.*

Report of the Amendments to be received on *Tuesday* next; and Bill to be *printed* as amended. (No. 118.)

Earl Powis

VACCINATION (IRELAND) BILL.

(No. 108.) SECOND READING.

The Earl of ST. GERMANS moved the second reading of this Bill.

The Earl of CLANCARTY believed the Bill would prove to be inoperative, and expressed his opinion that the law as it existed at present was effecting great good.

The Earl of BELMORE said, that a copy of this Bill had, as his noble Friend had stated, been sent to every board of guardians in Ireland. It was considered at a very full meeting of the board of which he happened to be a member; but so far from having arrived at the same conclusion as his noble Friend (the Earl of Clancarty), it was unanimously approved of, as being a very useful and necessary measure.

Motion *agreed to:* Bill read 2ª, and *committed* to a Committee of the Whole House on

BAKEHOUSES REGULATION BILL.

(No. 85.) SECOND READING.

Order of the Day for the Second Reading read.

Lord STANLEY of ALDERLEY moved, according to Order, that the Bill be now read a second time. The Bill was founded upon the Report of a Commission that had inquired into the subject in 1860, which Report recommended restrictions upon the employment of young persons under eighteen at certain hours of the night, and also certain regulations as to inspection. The disgraceful and disgusting condition of many of the bakehouses of this great metropolis was a scandal to the country. This Bill provided the infliction of penalties for the employment of persons under eighteen during the prohibited hours at night, and for the cleaning, painting, and white-washing of the bakehouses, with other sanitary regulations, for the enforcement of which official inspection was established.

Lord REDESDALE said, that no doubt, upon the whole, the Bill was a very proper measure; but he thought that some of the provisions were unnecessarily stringent, and descended to too much minutiæ with regard to the painting, white-washing, &c. It should also be borne in mind that these operations, if required to the alleged extent in the metropolis, would not be required to the same extent in the country.

Lord STANLEY of ALDERLEY said, that some of the regulations were doubtless stringent, but the noble Lord would not object to the repeated whitewashings if he had heard the statements which had been made as to the disgusting condition in which many bakehouses now were. He admitted that as the Bill stood it might prove vexatious in small places and rural districts, and he was willing to listen to any suggestion tending to obviate that objection.

Motion *agreed to:* Bill read 2^a, and *committed* to a Committee of the Whole House on *Monday* next.

ROYAL VICTORIA PATRIOTIC ASYLUM.

QUESTION.

LORD ST. LEONARDS rose to put a Question to the noble Duke the Secretary of State for the Colonies, relative to the Royal Victoria Asylum, Wandsworth. His chief object was, to make a personal explanation in consequence of some observations which had fallen from a right hon. Friend of his (Sir John Pakington) in another place. For some time considerable difference of opinion had existed with reference to the conduct of the Asylum, and particularly as related to the competency of the lady superintendent and the chaplain. The Ladies' Committee investigated the matter, and elicited certain facts, the result being, that they came to a resolution, declaring that they could not continue to act beneficially to the institution if the lady superintendent and chaplain remained at the head of the establishment. The Executive Committee declined to remove those persons, and in consequence of this decision four of the seven ladies who formed the Ladies' Committee at once resigned. The other three did not resign at the moment, but waited to see whether the Royal Commission would approve of the decision of the Executive Committee; and on finding that they did approve of it, these three ladies, one of whom was his own daughter, also sent in their resignation. At the meeting of the Royal Commissioners, at which it was determined to retain the officials objected to, his noble Friend (Earl Grey) moved a Resolution for their removal; and he (Lord St. Leonards), in supporting that Resolution, expressed himself very warmly on the subject. From the report of his observations, in another place, it would seem as if his right hon. Friend (Sir John Pakington) imputed to him that he had taken that course, and warmly supported his noble Friend's Resolution, because his own daughter was a member of the Ladies' Committee; but if his right hon. Friend had looked into the facts, he would have found that there was no reason for imputing motives to him. He might observe, that of the four ladies who first resigned, three were wives of members of the Executive Committee, and two were also wives of members of the Royal Commission. The husbands of those ladies voted for retaining the officials to whom he had alluded, whereas the ladies themselves resigned because they were retained; so that affection was not allowed to get the better of a sense of duty. It was only recently his daughter had become a member of the Ladies' Committee; but from the first he had been a Royal Commissioner. He had also been a member of the Executive Committee; and that body having done him the honour of electing him their first Chairman, he had worked for the institution day by day and hour by hour during a period of two years. He had not resigned till every shilling of the vast sums contributed towards the establishment and maintenance of the asylum had been secured and appropriated to its proper purpose. It might interest their Lordships and the public to hear that of the vast sums which had come to the hands of the Royal Commissioners by driblets and in sums of all amounts, from all quarters of the globe, every single shilling had passed through the hands of the Royal Commissioners, without any sum whatever having been spent in entertainments, or in anything that might be called personal expenditure on the part of the Commissioners. The contributions had been advertised as they were received; the money, as it was received, was duly paid into the Bank of England every day; no one was allowed to retain any money whatever, and none was drawn out of the Bank except by cheque signed by the Chairman and two other members of the Committee. He had employed a competent person to trace the various subscriptions: that person found that every shilling that had ever been advertised had passed into the fund, and that there was in the fund a considerable sum over and above the amount that had been advertised as received from subscribers. Great precaution had been used with respect to the opening of letters containing inclosures, and also in respect to the drawing of cheques, so that the Royal Commissioners might confidently assert that their management had been a disinterested one. But their Lordships would remember those painful occurrences in the school which had attracted so large a share of public attention. After the institution was fully established, it was superintended by a Ladies' Committee, and in the course of their supervision they discovered certain proceedings of which they could not approve. A girl died in a solitary room in which she was confined; and another girl was sent to London to be mesmerized; and altogether there was a bad moral tone in the school. These were the circumstances which weighed on his mind, and led him to support the Motion of the noble Earl (Earl Grey), and not his affection for the lady who had been, as he thought unnecessarily, alluded to in another place. His right hon. Friend (Sir John Pakington) said that at a late meeting of the Royal Commissioners he (Lord St. Leonards), in the most frank spirit, declared that having passed several hours of the previous day in looking over the establishment, he felt bound to state that he had never seen an institution in a more satisfactory condition. That implied that he intended to retract what he said previously, which was certainly not the case. He had never changed his own opinion, though he was willing to yield to that of the majority. In visiting the establishment he found all persons at their posts; the lady superintendent, the chaplain, the schoolmistress, the pupil teachers, and the children, were all busily occupied, and he admired what he saw there as he had done before. His objection was, in fact, not to the routine of the school—that was free from all objection; it was that the heads of the Asylum had permitted certain acts which had demoralized in some degree the school, and had led to the death of a girl. He was happy to say that in consequence of the course pursued by the Ladies' Committee steps had been taken recently which tended to remove all such objections to the establishment as he had referred to. As the Royal Commissioners had decided on retaining the lady superintendent and the chaplain, he did not desire to say a single word against them. There was one thing, however, of which he thought the Commissioners could not approve; he referred to the fact that a girl sixteen years and seven months old was, for petty theft, aggravated by lying, sent to a private reformatory. He thought no individual had a right to send her to such a place. It appeared that she had borne a good character up to the time of committing the offence in question, and that on leaving the reformatory she went to service. In his opinion, it would have been far better had she been punished at the school instead of being stigmatized by being sent to a reformatory. The Ladies' Committee, of which he had spoken, had now ceased to exist; and believing that the institution could not work well without such a Committee, he wished to ask the noble Duke, Whether any steps were being taken for the formation of a new Ladies' Committee?

THE DUKE OF NEWCASTLE said, he was sure his noble and learned Friend would not expect him to enter into the misunderstanding which seemed to have existed between him and the right hon. Gentleman who spoke upon the subject in the other House of Parliament. But taking an interest in the Commission to which his noble and learned Friend had referred, he had gone very carefully through the speech of the right hon. Gentleman, and it did not seem to him that there was intended to be or was any aspersion cast upon the motives or the conduct of his noble and learned Friend. He (the Duke of Newcastle) was not a member of the Executive Committee, upon whom devolved all the internal regulations of the Victoria Asylum, but filled the office of chairman of the Patriotic Fund, a post which he had occupied since the death of the lamented Prince Consort. He could not therefore reply authoritatively to the questions addressed to him, but would give such information as had reached him. His noble and learned Friend's Question inferred that no steps had been taken to re-constitute the Committee of Ladies. The phrase used by the noble and learned Lord was likely to mislead. The Committee of Ladies had consisted of twelve ladies—seven of whom had resigned and five remained. He believed that those five ladies had not since met as a committee, but an arrangement was made among themselves individually to visit the asylum, and he believed they had done so. His noble and learned Friend shook his head, but that showed the mistake in putting the Question to himself, as it was clear the noble and learned Lord knew better than he did. He was informed that one of the five ladies had recently been compelled to leave this country in consequence of her husband being ordered on service abroad, and a proposal had been made to nominate another lady in her place, and he also understood that the Executive

Committee at their next meeting on Tuesday intended to consider what steps should be taken with a view to increase the Ladies Committee. He hoped his noble and learned Friend would be satisfied to learn, that if not technically, at least practically, the Committee had continued to exist, and that steps would be taken to increase the number of its members.

House adjourned at half past
Seven o'clock, to Monday
next, Eleven o'clock.

* * *

HOUSE OF COMMONS,

Friday, *June* 5, 1863.

MINUTES.]—SUPPLY—*considered* in Committee —CIVIL SERVICE ESTIMATES; Resolutions (June 4) *reported.**
PUBLIC BILLS—*Ordered*—Public Works.
Committee Cayman Islands (*Lords*) [Bill 132]; Offences (South Africa) (*Lords*) [Bill 113], on *re-committal*—R.P.
Report—Cayman Islands.
Considered as amended—Inland Revenue* [Bill 115].
Third Reading—Drainage and Improvement of Land (Ireland) [Bill 106], *Debate adjourned;* District Parochial Churches (Ireland)* [Bill 122], and *passed.*

LISBURN ELECTION.—REPORT.

House informed, that the Committee had determined—

That John Doherty Barbour, esquire, is not duly elected a Burgess to serve in this present Parliament for the Borough of Lisburn.

That the last Election for the said Borough is a void Election.

And the said Determinations were ordered to be entered in the Journals of this House.

House further informed, that the Committee had agreed to the following Resolutions:—

That John Doherty Barbour, esquire, was, by himself and his Agents, guilty of bribery and treating at the last Election:

That Samuel Thomas Corry, a Non-Elector, was bribed by Agents of the said John Doherty Barbour, in order to induce him to personate his late father, (who died in November last, and who had been an Elector,) and to vote for the said John Doherty Barbour:

That the said John Doherty Barbour did himself endeavour to corrupt James Bannister, a Voter; and that James Bannister was subsequently offered the sums of £50 and £60 by Agents of the said John Doherty Barbour, to induce him to vote for the said John Doherty Barbour:

That several of the Voters were forcibly detained and guarded by armed men, in a room belonging to the said John Doherty Barbour and his Partners, for several days previous to the Election; and during that time were subjected to undue influence and treating, with the view of inducing them to vote for the said John Doherty Barbour.

Report to lie upon the Table.

ROYAL VICTORIA PATRIOTIC ASYLUM.

QUESTION.

MR. TORRENS said, he would beg to ask the hon. Member for North Lancashire, Whether there are any vacancies in the Royal Victoria Patriotic Asylum at Wandsworth; if so, what number; and further, will he state whether it is the rule or intention to fill up any vacancies in the Asylum solely with children of soldiers who died in the Crimea, to the exclusion of the children of those who, having served in the Crimea, have since died on service with their regiments in India or elsewhere?

COLONEL WILSON PATTEN said, in reply, that the number of vacancies in the Victoria Patriotic Asylum at Wandsworth was thirty-seven. Those vacancies had been caused by the necessity which the Royal Commissioners were under to provide temporary accommodation for hospital purposes, but they were gradually being filled up, and he believed that the number of three hundred would be completed in a very short time. In reply to the second Question of the hon. Gentleman, he had to state that the institution was originated by the Royal Commissioners of the Patriotic Fund for the education of children of soldiers who had been either killed or wounded, or died from disease contracted during the Russian war. The Commissioners held that the children of such soldiers had the first claim on their attention and the funds of the institution; but it was under the considera- of the Commissioners whether, when all these claims had been met, they should take into consideration the claims of the children of soldiers who had served in the Russian war, but had since met with calamities in other parts of the world. When all these claims had been satisfied, the institution would be applied to the education of the children of soldiers generally.

THE DISTRESSED COTTON OPERATIVES.

QUESTION.

MR. FERRAND said, he rose to ask the President of the Poor Law Board, Whether he has received the Return of the unemployed unmarried Women in the Cotton Factory districts, and when the works sanctioned by the Government Engineer are likely to be commenced?

Mr. C. P. VILLIERS, in reply, said, he had no authority to compel such a Return, but he was informed that endeavours were being made by the Committee of Relief to collect the information, and that probably in the course of next week it might be obtained. With respect to the other Question, he could only answer that it would depend on the legislation of that House.

CHARITABLE BEQUESTS IN IRELAND.

QUESTION.

Mr. HASSARD said, he wished to ask Mr. Attorney General for Ireland, Whether, considering that the Irish Law Officers of the late Government had prepared a Bill for the Amendment of the Laws relating to Charitable Donations and Bequests in Ireland, which Bill they handed over to their successors now nearly four years ago, he intends to introduce any measure for the Amendment of the said Laws during the present Session?

Mr. O'HAGAN replied, that he would not pledge himself to bring in a Bill, but he would certainly give the matter prompt and careful consideration.

EDUCATION REPORT.—QUESTIONS.

Mr. F. S. POWELL said, he would beg to ask the Vice President of the Committee of Council on Education, When the Report of Council on Education will be distributed; and whether it is the intention of Government to propose the Vote for Education before Members have had ample time for consideration of the Report?

Mr. LOWE, in reply, said, the Report would be distributed in the course of next week, and therefore would be in the hands of Members probably before the Vote came on; but he could not undertake, in the present state of public business, to postpone the Vote even should that unfortunately not be e case.

TRANSFERENCE OF THE IONIAN ISLANDS.—QUESTION.

Mr. DARBY GRIFFITH said, he would beg to ask the First Lord of the Treasury, Whether the Government intend to complete the transference of the Ionian Islands to the possession of any other Power, without any further reference to the approval or consent of Parliament?

Viscount PALMERSTON: Sir, the Ionian Islands were erected into an Independent State, and placed as such under the protection of Great Britain by treaty, and not by any action of Parliament; and therefore, if any change should be made in their condition, it will be made in the same manner as that in which the original arrangement was concluded—namely, by treaty. Of course, that treaty will be laid on the table of the House.

Mr. SEYMOUR FITZGERALD: I wish, Sir, to ask another Question, in consequence of the reply of the noble Lord. The cession of the Ionian Islands will not be completed, I presume, without communication with the various parties who signed the Treaty of Vienna, and those communications may have a serious effect upon our relations with Foreign Powers. I wish, therefore, to ask the noble Lord, Whether he will take care that the communications with those Powers shall be laid upon the table, in order that this House may have an opportunity of considering their probable effect on our relations with Foreign Powers, before the cession of the Islands is completed?

Viscount PALMERSTON: I do not apprehend that there is any chance of any communication taking place between this Government and any parties to the Treaty of Vienna, with regard to the cession of the Ionian Islands, which can endanger in any way the friendly relations of this country with Foreign Powers. The course of the transaction is not finally settled. Whatever is proper and fitting to be laid before Parliament, and required to be laid before Parliament, will be laid on the table of the House.

Lord JOHN MANNERS: I beg to ask the noble Lord the Questions of which I have given notice—Whether the Vote of the Ionian Chambers upon the proposed cession of the Seven Islands to Greece is to be taken before the consent of the Powers of Europe, assembled in Congress, to that cession has been obtained; whether the Congress is to be confined to the Powers who were signatories of the Treaties of 1815, or whether it is to comprise all the Powers of Europe, including Turkey; whether, in the event of Turkey not being invited to attend the Congress, any communication will be addressed to the Sublime Porte on the subject; and whether the consent of all, or only of the majority of the Powers assembled in Congress, will be required to authorize the cession.

Viscount PALMERSTON: I cannot at present state in what order communications will take place. Of course, the cession cannot be completed without, in the first place, the consent and wish of the Ionians, and in the next place without the consent of the parties who signed the Treaty of Vienna. Those only who signed that treaty will have a voice in the matter. Turkey did not sign it, and therefore Turkey will not be called upon to give her assent or dissent; but naturally Turkey is acquainted with what is in contemplation. As to whether all the signatories will be required to consent, I apprehend there is no likelihood of any dissenting voice if the great majority are of opinion that on European grounds the cession should be made.

Lord JOHN MANNERS: I understand from the noble Lord that in his opinion there will be no material difference in the judgment of the great Powers, and therefore he does not anticipate the case I supposed will arise. But in the event of a difference of opinion arising, what then is to be the course of proceeding? Is the consent of all the great Powers necessary, or is the arrangement to be carried out by the majority?

Viscount PALMERSTON: That is more a point of international law. But I think it is quite clear that supposing the great majority—say all but one—consent to the arrangement, and the Ionians and Greeks also agree to it, it is not likely any one Power will set up its dissent against the opinion of the majority.

COURTS OF JUSTICE.

QUESTION.

Mr. LYGON said, he wished to ask the First Commissioner of Works, When he will move for leave to introduce the Courts of Justice Building (Money) Bill?

Mr. COWPER said, that probably next week he should be able to introduce it.

IRISH FISHERIES BILL.—NOTICE.

Viscount PALMERSTON: Sir, I think the time of the Session has now approached when morning sittings should commence, for disposing of matters which require a great deal of debate. I shall propose that on Tuesday morning the House shall sit with the view of taking the Irish Fisheries Bill.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

PERMANENT COMMISSIONER OF PUBLIC WORKS AND BUILDINGS.

RESOLUTION.

Mr. BAILLIE COCHRANE said, he rose to move the Resolution of which he had given notice with respect to the expediency of appointing a permanent First Commissioner of Works. In doing so he should not trouble the House with any lengthened disquisition on matters of taste. No one would, he thought, be disposed to deny that it was desirable the public buildings should, as far as possible, combine unity of design and economy with efficiency, while there could be as little doubt that there was no unity of design displayed in the mode in which public buildings were constructed in London. Every hon. Member who had visited the Continent must have been struck by the difference which existed between the way in which public works were carried out abroad and in this country. The advantage which foreign nations enjoyed in that respect arose from the fact that in the construction of their public works unity of management prevailed. He was anxious that the House should take nothing upon his mere assertion; and if the House would accompany him in imagination through some of the principal parts of London, he would show that instead of unity and economy the utmost absurdity characterized the constructions of the public buildings in the metropolis of this country. He would, in the first place, call the attention of his right hon. Friend the First Commissioner of Works to Buckingham Palace, in support of the view on the subject to which he entertained. It was a curious instance of the mismanagement of public works in this country. The money to be laid out on Buckingham Palace was, in the first instance, £240,000. £1,200,000 had, however, been expended upon it up to that moment, and that enormous increase of expenditure had, he contended, arisen from the fact that there had been such constant changes in the management of the Board of Works. There was, he might add, an amusing circumstance connected with Buckingham Palace. It would be in the recollection of the House that the Marble Arch, which now stood at Cumberland Gate, was previously placed in front of the Palace. Hon. Members, however, were not, perhaps, aware that when it was placed there it had not been completed. It was intended to put very expensive friezes on the arch, and to place a statue of Minerva on the top—to indicate, he supposed, the wisdom of the Board of Works ; but when the arch was removed to Cumberland Place—no one knew why—the friezes, instead of being placed on it, were stuck up in the inner court of Buckingham Palace, at a height of eighty feet, and the statue of Minerva had been changed into one of Britannia, and erected at the east end of the National Gallery, opposite St. Martin's church, where a hole in the wall had been made to receive it. He should next advert to the National Gallery, than the area of which, a Committee reported—and that opinion had been confirmed by others who had an opportunity of studying the sites of the metropolis—there was none finer in Europe. The late Sir Charles Barry, then Mr. Barry, proposed some extraordinary embellishments, in the shape of lions and tridents surmounted by a colossal statue of Neptune, which were, luckily, not carried out. After the National Gallery was erected there came the question of the Nelson Column, which gave rise to much discussion, and on which two or three Committees sat. The result was that the column was commenced where it now stood; but it was found that there was not money enough to complete it. And what did the Commissioner of Works do ? He cut down the column, and made it twenty feet shorter than was originally intended. The hat was sent round to the public for subscriptions to finish the works, and the Emperor of Russia subscribed £500. That was to complete the lions at the base ; but up to that day those lions were not to be seen. The lions were intrusted to Sir Edwin Landseer, a most eminent artist, whose talent was known and appreciated not only in this country but throughout Europe ; but he was not aware that he had ever before been employed as a sculptor ; and, if he was not mistaken, his right hon. Friend had informed the House not long since that that gentleman spent a good deal of time in the Zoological Gardens studying the habits of those animals, while an expense of some £200 or £300 had, he believed, been gone to for several casts made of an anatomical lion at Turin. Be that, however, as it might, the lions were not yet visible. Then there was the statue of Dr. Jenner. Dr. Jenner, it seemed, had gone to Kensington Gardens to smile on the admirable memorial of the right hon. Gentleman's taste which was there to be found at the fountain end of the Serpentine. Now, Dr. Jenner's previous position was miserable enough ; but he looked even more miserable where he at present was, inasmuch as he looked as if he were afflicted with the very disease which was so honourably associated with his name. Having inquired, he might add, where the fountains were in the vicinity, he was told that they were not playing, but that he could see the pipes. He asked when they played, and the answer was, "Oh, never, except when the engineer is here. He goes away for a long time together, and when he comes back he turns on the water with a key." Notwithstanding between £20,000 and £30,000 had been spent on the purification of the Serpentine, the water was the filthiest he ever saw. The fact was, that they had no clean water in the Serpentine, and that the mason work, which was intended to be handsome, was entirely thrown away. Instead, in short, of being purified, the Serpentine was, he believed, dirtier than ever it had been before. When walking by it a short time ago, he had passed the monolith, a big stone put in a hole, but which the right hon. Gentleman had, he understood, characterized as an admirable work, and which, it appeared, it was his intention to beautify with four fine poplars. Passing from the Serpentine to Burlington House, he there found another glaring instance of money thrown away. In that instance it arose, too, from the frequent change in the Commissioners, there having been no less than seven different Commissioners within the last ten years, while since 1845 there had been twelve. Burlington House, he might add, was purchased by one Commissioner. The next did not know to what use to put it. It was originally proposed, he believed, to transfer the National Gallery there ; but in fact no use had been made of it, though, if he was correctly informed, it had from first to last cost £200,000. Meantime, what had occurred ? The changes in the National Gallery cost £18,000, and it was now found out that further changes were required, the whole of the money being wanted because gentlemen in office did not know their own minds. He should next advert to the Foreign Office, which furnished a proof of the absence of all purpose in the Office of Works. The old Foreign Office was, so far back as 1839, pronounced to be perfectly dangerous to those who had to inhabit it. That was twenty-four years ago, and yet it was only now that they were about building a new Foreign Office. All that time they had been incurring enormous expense, in consequence of the indecision of those in authority. In 1853 a Committee sat on the subject, and had before them a report of Mr. Pennethorne. That Committee reported strongly in favour of a concentration of the public buildings. Very large premiums were offered for plans for the concentration of the public offices, but good faith was not kept with the gentlemen who sent in designs. It was clearly understood that the works would be carried out by one or other of those gentlemen, and yet the task was committed to none of them. £5,000 was spent upon premiums, and an additional sum upon the fitting-up of Westminster Hall and other matters. Sir Benjamin Hall went out of office, and the whole thing was forgotten. For the last four or five years the battle of the styles had been going on in that House, and at last a decision had been arrived at which was no doubt satisfactory to the noble Lord at the head of the Government, that the building should be erected according to a style which, no doubt, would hereafter be known by his name—a combination of Gothic, Italian, and other styles; but in the mean time Mr. Scott had been making design after design, and all these operations were attended with great expense. But in order to show the happy results of a concentration of authority in dealing with public works he need only point to the beneficial effects that had attended the Local Management Act, which had been introduced by Sir Benjamin Hall, in 1855, and which had abolished that costly and ineffective system of superintending public works which had previously prevailed in the metropolis. He would next pass to the consideration of what had been done in respect to the Record Office. He found his right hon. Friend doing in reference to that matter what Sir Christopher Wren in the year 1673 had refused to do. Sir Christopher Wren had then said that he would never consent to the addition of a gallery to the Chapter-house, or to any records being placed in that spot, as he considered such a measure would be an act of desecration. But his right hon. Friend had no such scruple. The Chapter-house was crammed full of records; or, at all events, was so last year. The public records were, indeed, kept in most extraordinary places. Some of them were stored in houses in Chancery Lane, which were supported by pillars to keep them from falling down, while others were to be found in the stables the Master of the Rolls, behind the mangers of his horses. The right hon. Gentleman would probably tell them that he was going to take a Vote of £20,000 for the Record Office, but it was impossible that for that sum any satisfactory building could be erected. Another of their unfortunate architectural projects were the proposed Courts of Law. When the Earl of Derby was in office it was proposed by Lord Chelmsford that £100,000 should be voted for the erection of Courts of Law. That proposal was rejected, but a substitute for it was since devised by his right hon. Friend, who asked them last year to undertake the building of a series of Law Courts which would cost nearly £1,500,000. But the House had naturally refused to sanction such an outlay, and there seemed to be no prospect of their obtaining any fitting accommodation for the legal tribunals, although he believed that it would have been possible to secure that advantage at a cost of not more than £100,000. It was manifest, that when the Government, had got possession of a valuable piece of ground, they ought not to part with it without some very special inducement. But he found that the right hon. Gentleman had recently sold a piece of ground, near the Admiralty, of the value of £1,400 a year, on which he might have erected a building large enough to accommodate all the departments of the War Office, which were now lodged in various detached buildings, and scattered among a labyrinth of passages in which no one could find them. Such a building might have been erected for £100,000; and they were paying for the hire of houses for the accommodation of that department £12,000 or £14,000 a year. He mentioned that to show that there was no economy in the existing mode of conducting public business. Would hon. Members believe that the miserable hovels which were close to the site of the new Foreign Office had not yet been purchased? He had spoken to the owners of two or three of them, who said that they hoped that their houses would be bought, but that they would wait until the Foreign Office was up, and then they should get a better price for them. It should be observed that a Bill was passed to authorize the purchase of these houses, but the Government allowed its powers to expire. Was that economy or common sense? He would mention another instance of what he could not help regarding as the unfortunate management of the public buildings. Thirty-five years ago a State Paper Office was erected at a cost of £70,000; in the year 1855 it was proposed to put a new story to it, and in 1860 the right hon. Gentleman pulled it down, and there was an end of that money. Remembering these circumstances, all of which he had documents to prove, could the noble Lord suppose that the House would be prepared to vote £484,000 to purchase the Exhibition Building; £220,000 of which was to be spent upon decoration, of the style of which the House had no information, and which, if it was then settled, might be changed by some other Minister of Works who might succeed the right hon. Gentleman? The facts which he had stated were of a most startling character. The House discussed small items of £1,000 at Constantinople, or £500 somewhere else; but he was anxious to go ot once to the root of the matter, and show how a large amount of money might be saved. In dealing with the question he believed that one step in the right direction would be the appointment of a permanent Commissioner of Works. He did not say whether the Parliamentary Commissioner should be made permanent, or an additional Commissioner be appointed; but he was convinced that the adoption of one or other of those measures would, by giving greater stability to the Board, increase its authority in that House. It would have been presumption in him to have brought the matter forward on his own opinion, but he was supported by good authorities. Before the Committee on Miscellaneous Expenditure, in 1860, Mr. Hunt, a gentleman of excellent judgment, and who performed his duties at the Board in an admirable manner, was asked—

> "Confining the question merely to the subject of works, do you think that the works themselves would be better done if there was a permanent head?"

He replied—

> "My idea has been that a great advantage would accrue if we had a permanent Commission. I think that there should be two Commissioners, who could divide the labour, because there would be a great deal to do. Those Commissioners would then have due authority to act, certainly in the routine business of the office. If Parliament determined that a Foreign Office should be built, that work could be carried out without constantly seeking the co-operation or aid of the First Commissioner. Certainly, from what I have heard here, I think, that unless we were represented in Parliament, we should have some difficulty, because we should have to explain all our proceedings either to a Secretary of the Treasury or to a Lord of the Treasury, who would either have too much to do, or who would not care to be troubled with our technicalities; whereas a First Commissioner, whose time was wholly devoted to that speciality, would be more ready and able to answer questions in the House of Commons. But it seems to me that it is very desirable to have permanent officers in authority, who could take up and follow through continuously all matters of ordinary business."

He was also asked—

> "You have made two or three important recommendations which you think might conduce to a large saving of public money; first, to strenghen the constitution of the Board of Works, and give it continuity by the appointment of two permanent Commissioners, as well as a Parliamentary First Commissioner."

And his answer was, "Yes." Lord Llanover said—

> "I think one of the greatest absurdities existing in the State now is that the First Commissioner of Works should be a political officer."

And in reply to another question he added—

> "The duty of the First Commissioner is to carry out those works which are sanctioned by Parliament, and he ought to be a man who has some knowledge of works. He ought to be able to check the surveyors and architects; I do not mean with regard to a knowledge of the special details, but he ought to possess that general knowledge of works and of engineering that would enable him to go into the matters of architecture, and building, and surveying, with those with whom he is brought into contact. What can be more absurd than for a man with the great knowledge and ability of Mr. Hunt to go before the First Commissioner, and to lay a plan before him which is as dark to his mind, perhaps, as the Chinese language? Men may be appointed merely for political objects, and they have been so appointed, who know nothing whatever of the nature of conducting works, or of the conduct of property and management of it. Therefore I think the public service is damaged most materially by having such an officer."

Mr. Austin, another high authority, took the same view; for on being asked—

> "I suppose you would not hesitate to say, that if any scheme could be devised by which one head should continue to carry on the business of the office, that that would be more likely to secure good management?

His reply was—

> "Certainly; as far as the business of the office is concerned, I have no doubt of it. I think I have had experience enough of the office to say that beyond all doubt. There are questions on the point that are not quite so clear to answer; but those questions do not relate to the transaction of the business of the office, but to questions in which the public take a great interest. By the present system the First Commissioner has an

opportunity of answering in Parliament questions upon matters of a general interest respecting public works that may be put to him, whereas it seems to me, that if we had a permanent Commissioner, that means of furnishing information or explanation would fail. I assume, of course, that the Permanent Commissioner would not be in Parliament.

"Then, the objection which strikes you to a Permanent Commissioner refers only to the Parliamentary duties of the First Commissioner?—I think it is very much confined to that.

"With regard to general superintendence of this important department, you would say that a continuous system, under one head, would be more likely to contribute to the good working of the office?—I have no doubt about it."

Finally the Committee expressed the same opinion in their Report, and stated—

"That the evils arising from constant changes in the office of Chief Commissioner of Works having been prominently brought before your Committee, they are of opinion that the appointment of a permanent Commissioner would seem the only means of removing them. Your Committee consider that, upon the appointment of a permanent Commissioner, the duties of the existing political office of First Commissioner in Parliament might be discharged by some other Minister of the Crown in the House of Commons."

Such was the unanimous opinion of the Committee, and he felt it would command the respectful consideration of that House. He had no wish to cast any reflections upon his right hon. Friend opposite; but when gentlemen were appointed on an average every two years to the important office of Chief Commissioner of Works, it was impossible they could bring to that position the knowledge enabling them to carry out its duties successfully. In France a very different system prevailed of conducting public works. The Prefet de la Seine, the officer corresponding to the English First Commissioner of Works, was a permanent functionary. Some persons might find fault with the public buildings in Paris, but all must agree in admiration of the unity of design upon which they were built, and in attributing to the remarkable man at the head of the French empire, no matter what their views of his political character might be, great taste in architectural improvements and wonderful determination in carrying out his plans. He should like next to quote the language of a great authority, a man of highly cultivated taste. Sir Charles Eastlake, speaking at the dinner of the Royal Academy, said—

"If any part of the domain of the fine arts can be said to be more worthy than another of their attention, it is, perhaps, that section which, in its various forms, is most before the world—I mean architecture and public works. It should be borne in mind, that if pictures are defective, they can easily be disposed of; that indifferent statues and even objectionable small structures can be removed; but spacious architectural arrangements and extensive buildings must remain either as a lasting credit to the taste and good sense of the nation, or as a lasting stigma, which all would repudiate, but which all must be content to bear."

It might be said, indeed, that the evils to which he had referred were to be attributed to their system of a constitutional Government; but he thought it unfortunate that these iniquities should be charged upon constitutional government at the very time when the Chancellor of the Exchequer and the noble Lord at the head of the Government were holding up that form of administration to the imitation of foreign countries; countries in which the fine arts and public works by no means presented an equally pitiable spectacle. Constitutional Government, he maintained, had not failed at all; there had simply been neglect in carrying out the recommendations of the Committee. For the last forty years Commissions and Committees had been reporting in favour of the appointment of permanent Commissioners who could be relied upon, and whose capacity and merits would not be dependent on the fluctuations of party, and he therefore asked the noble Lord at the head of the Government to take that matter into his careful consideration. For his own part he believed that such a measure would, to a great extent, prevent that mismanagement which he had attempted to describe; and it was with that conviction that he begged leave to move the Resolution of which he had given notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "for the sake of obtaining greater unity of design in our public buildings, and with a view to the efficiency and economy of the public service, it is dedesirable a permanent Commissioner of Public Works and Buildings, or rather officer, should be appointed to the present Board of Works,"

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. COWPER said, his hon. Friend opposite had led the House a very agreeable tour round the buildings in London, enlivening his description by illustrations of considerable interest; but it was remarkable that the more important of his illustrations entirely demolished the argument which the hon. Gentleman was endeavouring to urge upon the House. His Motion was to the effect that greater unity of design in the public buildings, and greater efficiency and economy of the public service, would be attained by the appointment of a permanent Commissioner of Public Works; and in support of that proposition his hon. Friend quoted many instances of vacillation and useless expenditure in the public buildings of this country. But, unfortunately for his hon. Friend's argument, nearly all the instances which he had quoted of vacillation of purpose, change of mind, and useless expenditure of money, occurred at periods when either there was a permanent Commissioner at the head of the Office of Works, or when the Board of Works consisted of one Parliamentary head and two permanent Commissioners. In the year 1782 the original Board of Works was abolished, and a Surveyor General of Works was appointed, who was always to be a professional man. The gentlemen appointed successively, under that Act, were Sir William Chambers and Mr. James Wyatt, both eminent architects. In 1814 Sir Benjamin Stephenson succeeded to the office of Surveyor General, not being an architect, as it was thought desirable that a civilian should control the expenditure and direct the architects. In 1831 the Office of Works, having at its head a Surveyor of Works, was consolidated with the Office of Woods, and for twenty years the Board consisted of one Parliamentary and two permanent Commissioners, such as the hon. Gentleman wished now to be appointed. But the cases of mismanagement on which the hon. Member dwelt in making out the case in favour of his Amendment all occurred before 1851, when the Office of Works as at present existing was constituted. Nominally, the Secretary of State, the President and Vice President of the Board of Trade, were members of that Department; but practically the First Commissioner of Works was alone responsible for its conduct and direction. The plans affecting Buckingham Palace, as they all knew, underwent considerable modification. The first estimate was for £230,000, the intention being merely to alter the old palace. As the monarch of the day had no family to be accommodated, it was proposed to build a small palace; but afterwards, under altered circumstances, the estimates were enlarged to an extent much beyond the anticipations originally entertained. But the hon. Gentleman opposite attributed too much importance to the office of permanent Commissioner of Works, if he thought that Sir Benjamin Sephenson could have stopped the expenditure on Buckingham Palace, and ought to be held responsible for not having done so.

He confessed that the whole history of the National Gallery was one that he looked upon with regret, as showing how such matters were mismanaged in this country. Its erection was resolved upon in 1831, at a time when the country was clamorous for retrenchment. The first idea, in order to economy, was that the King's stables should not be pulled down or materially altered. A Commission, presided over by Sir Robert Peel, was appointed, and it applied itself to the question of how they could most economically obtain a National Gallery. The House were determined to have a cheap article; they got a cheap article, and they had never ceased to regret it. Had a sum slightly in excess of the £70,000 actually spent been voted at that time, the House would have been saved the necessity of incurring further expenditure in order to obtain a National Gallery worthy of the country and its fine collection of pictures. It was rather strange that the hon. Gentleman should attach blame to the Office of Works in connection with the Nelson Column, which was raised by private subscription. It was only after the monument had been raised high in the air that, the Committee being totally unable to finish it, the Government were obliged to step in, and undertake to complete the structure. The hon. Gentleman also spoke of the vacillation and change of purpose exhibited in the removal of Dr. Jenner's statue. But did he wish so great a sacrifice to consistency as would have been required in keeping that statue in a position where architecturally it was out of place. That was a sitting statue on a 9 ft. scale, by the side of two standing figures on a 14 ft. scale. It was a blunder to place it there, and it would have been bad taste to retain it; the best thing was to remove it to a position where it was in harmony with the surrounding objects. It was accordingly removed to a quiet part of Kensington Gardens, where it was an appropriate addition to the ornamented stonework. He next came to the purification of the Serpentine, and he could only say that he was not responsible for the change of plan. His predecessor had taken very good advice. The late Mr. Stephenson advised that Mr. Hawkshaw should be consulted, and he recommended that the Serpentine should be purified by a process of filtration. When he (Mr. Cowper) came into office, he ventured to think that the project was a mistake, and that it would not succeed. He accordingly moved for a Select Committee, which, after a careful investigation, came to a unanimous Resolution that the filtration ought not to be proceeded with. The authority of the Committee prescribed the change, as well as that of the Board of Works; and if his lamented predecessor had lived, it was probable the Committee would equally have decided against his plan of filtration. He was sorry the hon. Gentleman had not seen the fountains playing in Kensington Gardens lately, because there was now a plentiful supply of water six days in the week during the hours when the gardens were most frequented, and he knew that vast numbers admired the fountains greatly. The money voted for the purification of the Serpentine had attained that object. The plan of filtration was abandoned in favour of a much simpler and more effectual scheme. A very deep well was sunk through the green sand into the chalk, and brought up an abundant quantity of the purest water in the vicinity of London, which poured into the Serpentine, and had a beneficial effect in keeping its water sweet. During the greatest part of the year there were no grounds of complaint about the water of the Serpentine. It was true, the basins were not in a satisfactory condition, but the defilement of which the hon. Gentleman had spoken did not arise from the water, but from the accumulation of weeds in the basins. Probably means might be found of clearing them out.

The hon. Gentleman next complained of the delay in regard to the use of the site of Burlington House. It was, however, a wise thing to secure so central a space when it was in the market, even although a temporary loss of interest was sustained. It was a most valuable possession for the country, and he hoped that before long the Government would be able to put before the House a scheme of appropriation for this site. With respect to the Record Office buildings he must deny that the Government were working without a well-considered plan. In fact, a plan had been prepared for the apportionment of the whole of the ground adjoining the Record Office. Every portion of the building now added was according to a plan, and would become part of a general whole. The money for a new wing was placed on the Votes of that year, and that would be as much as was necessary to meet the existing requirements of the office; but as those requirements increased, the buildings would be extended.

The hon. Gentleman had confused two very different things—the proposal of Lord Chelmsford to build two Vice Chancellors' Courts at an expense of £100,000, and the proposal of the Government to build a Palace of Justice, in which all the Courts of Law and Equity, the Probate and Divorce Court, might be located. A Royal Commission had sat on the subject, and had recommended a costly and comprehensive scheme for concentrating the whole of the Law Courts and offices at one spot. He could not plead guilty to having sold that portion of the end of Carlton Terrace to which the hon. Gentleman had referred, because it was Crown land under the management of the Commissioners of Land Revenues, not of his office. It was not, however, land suited for public offices, as supposed by the hon. Gentleman. The site reserved for the extension of offices was in the neighbourhood of Downing Street, for which so large a sum had been paid. The hon. Gentleman said it was very wasteful not to buy the northern portion of Charles Street, when the Government had bought the southern side. His answer was, that the northern portion of Charles Street would never be required. About one-third of the site of Downing Street—namely, 43,000 yards, was unappropriated, and in future years, when it was necessary to extend the public offices, they would be extended to the north, and not to the south. A large site could be obtained on the northern side, because there was not only the land on which the offices of the First Lord of the Treasury, the Chancellor of the Exchequer, and the Colonial Office stood—all which must be rebuilt—but there was also the garden, attached to the residence of the First Lord of the Treasury. Then there was another site — the portion of land in New Palace Yard, between the Clock Tower and Great George Street, which had been partially cleared by the removal of the old houses in Bridge Street. With all that available space, it would have been a gratuitous piece of extravagance to make any further purchases on the south side of Charles Street. Upon the whole, he must contend, that the hon. Member had not succeeded in showing that any extravagance or vacillation arose from the want of a perpetual Commissioner at the head of the Board of Works.

The hon. Gentleman had quoted the Report of a Select Committee in the year 1860, which Report, however, was not adopted unanimously, but by a small majority. That Committee attached an exaggerated importance to the permanence of the office of Chief Commissioner of Works. Unquestionably, there would be some advantage in the head of such an office having an experience of many years in the discharge of his duties ; but the balance of advantage would be against the permanency of the appointment. A man long in the same office was apt to acquire a narrowness of view, a partiality for those who were under him, and a disregard for public opinion. If, without actual misconduct, he were to turn out to be ill fitted for his post, still there could be no change, and the public interests would suffer in his hands. The heavy price which the House would, however, pay for the permanence of the office, would be, that it would deprive the Legislature of the benefit of having a Member of that House with the knowledge and responsibly attaching to the head of the office, and that it would deprive the office of the influence of a Parliamentary head. It was in his opinion absolutely necessary that the head of the office should have a seat in that House. The reasons urged for making the head of the Works permanent applied also to the First Lord of the Admiralty, the President of the Poor Law Board, the Vice President of the Education Department, and to other Ministers. But the question was whether the advantage of having a permanent officer was at all commensurate with that of having the office represented in the House of Commons. The Committee of 1860 must have been misled by a fancied analogy between the Offices of Works and of Woods. The business of the Office of Woods was mainly to receive money for which it was accountable to the Treasury, and it had no direct transactions in that House. But a very short time since they had a marked instance of the disadvantage of having an office even of that character not represented in the House of Commons. Hon. Gentlemen would remember that a feeling sprang up that the policy pursued by the Office of Woods and Forests with regard to Epping and Hainault forests was one which ought not to have been adopted ; that forestal inclosures ought not to be encouraged, because the inhabitants of London were thereby deprived of enjoyments which hitherto had been within their reach. If the head of the office had had a seat in that House, he might have so explained his policy as to alter the opinion of the House, or the debate might have convinced him of the propriety of a change. But in the absence of such an officer the House was obliged to adopt a rough, rude, and violent way of attaining its object—namely, by an Address to Her Majesty that no inclosures of lands near the metropolis should take place, thereby bringing matters to a dead lock. What was desired of the Office of Works, was that it should combine efficiency with a wise economy. The best guarantee for such economy and efficiency was to be found in the determination of the head of the Department to secure them. If the House wished to exercise a control over him, it was well that he should be personally within range of the influence of its opinion, especially as there were so many matters within his province in which the House took a very great interest. On the other hand, it was most important that the House, in voting estimates for public works, should have a person present who was responsible for the details of those estimates, and would explain how the money would be spent, and how money voted previously had been expended. The presence of such a person in the House, was the best check to that natural tendency which was always found in public assemblies to run into one of two extremes—either to rush into such a lavish expenditure as had been incurred in the case of the Houses of Parliament, or to adopt such a small and delusive economy as cutting off £400 a year for a clerk of Works whose business it was to keep down expenditure. It was quite clear, if the First Commissioner of Works had not a seat in that House, he would lose that authority which he ought to possess. A suggestion had been made, that if the office were permanent, the Parliamentary work might be done by some other Department of the Government. But the person representing the office in the House of Commons ought to be able to speak with all the weight attaching to responsibility, and with the fullest knowledge of what was to be done, otherwise he would only be delivering information second-hand, and would meet with no attention. So absurd an arrangement would not long continue. The plan of a Board had been already tried for twenty years and failed. The hon. Gentleman alluded to the case of Paris, and said they ought to follow the example set there. But the hon. Gentleman did not observe the distinction, that the person who carried on all the great works there was not the Minister of Public Works, but the municipal authority. The Prefect of Paris was a municipal officer, the head and chairman of a municipal council, and therefore the person to whom he should be compared was not the First Commissioner, but the Chairman of the Metropolitan Board of Works. The latter was a permanent officer, but that was not sufficient to secure the work being done like that of Paris. The difference between Paris and London was this—in Paris there were ample funds; whereas in London the money provided, whether by the municipality or the Government, was not sufficient for the great improvements which might advantageously be made.

SIR JOHN SHELLEY said, the Committee which had been alluded to, and of which he had the honour of being a Member, came to the conclusion by a very large majority, that a permanent Commissioner of Works ought to be appointed, and they had in view a very easy way of getting over the difficulty of not having some one in the House who should be responsible to Parliament. They thought that certain official Gentlemen who sat day after day and night after night on the Treasury bench, and received salaries for doing little work except signing certain papers—he meant the Lords of the Treasury—might add to their importance if they were bound to answer in that House for the officer who presided over the Office of Works. But the right hon. Gentleman had not alluded to the main question in the public mind—he had not ventured to say that the present system had given satisfaction to anybody. No doubt the conclusion come to by the Committee would be unsatisfactory to the front benches on both sides of the House, because it was a great thing for a Minister, when about to form a Government, to have such an appointment as that of First Commissioner of Works to give away. But was it not true that the Gentlemen appointed to that office were appointed on account of their political opinions and associations, and not because of any capacity or fitness on their part? Without wishing to say anything invidious either to his right hon. Friend the present First Commissioner or to his noble Friend (Lord John Manners) who held the same office under the Government of the Earl of Derby, he believed it would be possible to find in this country persons who, from education and early training, were better suited to perform the duties required. The Government in office might be turned out any day, and then a Gentleman from the other side might come in with views entirely different from those of his predecessor. They had seen an instance of that not long ago. The more he considered the matter, the more he was of opinion that it would be advisable to have a permanent officer at the head of the Works Department. The office might very well be represented in Parliament by a junior Lord of the Treasury.

SIR MORTON PETO said, that having executed many large works for foreign Governments, he had been brought much into communication with foreign Ministers of Public Works, and he had always found that they were really Ministers of Public Works. But in this country the First Commissioner of Public Works was no Minister of Public Works at all. He should be very sorry if the Minister of Public Works had not a seat in that House, and be amenable to those discussions and questions which must arise under a constitutional form of government. But what he wanted to see in England was what they had in France, an able body of men in association with the public minister, competent to deal with these questions in such a way as that they should not suffer from the disappointments they then felt in finding so many of their public works, particularly in reference to the estimate and ultimate cost, a by-word and a proverb. He had executed immense works for the Government of France; and he had always found their estimates so well considered, their plans so thoroughly well sifted, and the whole affair so thoroughly considered in all its branches, that he had been able to adopt the estimates of the ministers as they stood, and execute the works by contract for that sum, and had never found himself a loser in any one instance. The consequence was, that great works were carried out in France for the amount of the estimate which was laid before the country for those works; but in this country no works could be mentioned which ever were carried out within the estimates. That, of itself, condemned the whole system. The House of Commons could not do justice to its constituents unless it had estimates laid before it which were completely reliable, and a Department which could not lay before them estimates which had been thoroughly and honestly considered was not worthy of confidence. In this country many of the public works were not under the control of the Commissioner of Works at all. Some were under one Department, some under another. The Admiralty, for instance, had charge of the construction of harbours of refuge, breakwaters, and docks; but of public works they knew nothing whatever. They might be good sailors or mechanicians, but of public works they knew nothing at all. If the Admiralty in France wanted a dock, they went to the Minister of Public Works and told him that a dock was required. The First Lord and the Secretary of the Admiralty had nothing to do with it. The Minister of Works became responsible for the execution of the work, and the consequence was they never found an estimate of £200,000 or £300,000 ending in an outlay of £1,000,000. What they wanted was a thorough reform of the system. The Minister of Public Works ought to be really a Minister of Public Works; and when he came down to that House to propose a public work, and to offer an estimate, he ought to be responsible for that estimate, and then the House and the country would not be subject to such lamentable excesses. There were estimates before the House that night for works which had cost millions, and were utterly worthless, and never could be used. That would not have occurred in any country on the Continent. They had no Holyhead Harbour abroad, three or four times altered no—Alderney on which hundreds of thousands of pounds had been absolutely thrown away. There was no instance resembling the £600,000 or £700,000 which had been spent at Jersey in creating obstructions which it would be necessary to remove at great cost, for the very safety of the navy itself. Let them take the First Commissioner of Works, be it the noble Lord opposite, or the right hon. Gentleman; give him a board of association to act with him, and let him have all the public works to carry out, leaving none to be executed by the Admiralty or the Treasury, and make him responsible for the estimates, and responsible for the plans. Then, if he was found fault with, he could turn round to his Board, point out to them their own condemnation, and select another more worthy of his confidence. Thus they would be enabled to avoid the disappointments and expenses with which the existing system was attended.

Lord JOHN MANNERS said, that his hon. Friend's proposal was confined to the constitution of the Office of Works; whereas the remarks of the hon. Baronet had extended to that of the Admiralty and the War Office. In his hon. Friend's criticism of some of the more conspicuous and notorious failures in our public works he (Lord John Manners) was disposed to agree. The hon. Baronet, in his able speech, had advocated not merely a permanent officer at the Board of Works, but a very large reform of all the departments to which different works had been intrusted. That subject he (Lord John Manners) thought was hardly yet ripe for discussion. But as to the more limited question of his hon. Friend behind him, he could not see that the proposal was one which would sensibly diminish the evils of which he complained, or in any degree effect their removal. Besides which, as it stood, his hon. Friend's proposal was already practically carried out. When he asked for a permanent officer, his (Lord John Manners') answer was, that a permanent officer already existed in that distinguished public servant, Mr. Austin, from whose evidence he had quoted. A better man no First Commissioner could desire to have at hand. He would put it to his hon. Friend whether the objection he felt to the non-permanent character of the head of the department of Public Works might not be equally applied to every other great department of State? In fact, the organization of the Office of Works was precisely the same as that of every other Department. It had its political non-permanent head, who was responsible to Parliament, and who acted in harmony with his Colleagues in the Government; and it had its permanent officer—in some Departments called an Under Secretary—who was responsible to Government, and not to Parliament. He doubted whether the evils complained of would be cured by the establishment of a permanent officer. The hon. Baronet (Sir John Shelley) had gone into details, and had given it as his opinion that some person, as a Junior Lord of the Treasury, should be appointed to superintend the office. But, without disparaging Junior Lords of the Treasury, past, present, or to come, he (Lord John Manners) could not think they were likely to be very conversant with the details of undertakings in the origination of which they had had no voice, and which they might find it a a difficult task to defend in the House of Commons, if they were objected to. He thought the proposed arrangement would be found to work extremely ill in practice, and he would remind the House of a somewhat similar case. A few years ago the Poor Law Board was not represented in the House. Great inconvenience ensued, and, acting upon the advice of the late Mr. Charles Buller, it was decided that the Poor Law Board should be represented directly in the House. But how? It was not proposed that a Junior Lord of the Treasury or a Junior Lord of the Admiralty should be the mouthpiece of the Poor Law Board. The responsible head of the Board was brought into the House, and the result was that the business had been carried on to the satisfaction of the country ever since. He thought that the practical remedy was to be found not in an alteration of the existing system, but in the discretion, in the tact, and in the good feeling of the various heads of the office who succeeded each other. Whatever mischief had been done had arisen from the over-zeal of the incoming Commissioner, wishing to carve his name on some marble or bronze monument, and for that object subverting all that the previous Commissioner had established. In that way changes had been hastily adopted which had far better have been avoided. But he held that to be one of the necessary evils of a constitutional form of Government. If there was a change of Government, it must be left to the responsible head of the new Government to place the right man in the right place. If the Prime Minister made an unfortunate selection, inconvenience ensued; but he could not see that there was any greater mischief from not having a permanent head at the Office of Works than for not having a permanent head at the War Office, the Colonial Office, or any other of the great offices of State.

Amendment, by leave, *withdrawn.*

THE ORDNANCE SURVEY.

OBSERVATIONS.

MR. H. BAILLIE said, he rose to call the attention of the House to a Report recently issued by Sir Henry James of the progress of the Ordnance Survey of the United Kingdom. That Report contained a suggestion which would have the effect of postponing the survey of Scotland for about a quarter of a century, until a re-survey of England had been made on a larger scale, together with revisions of the surveys already completed both of England and Ireland. The attention of Parliament had been frequently called to the subject, and various inquiries made; but, so far as Scotland was concerned, they had been working without any fixed plan, and a Committee had reported last year that the interference of Parliament had not only caused delay, but very great and unnecessary expense. What was the actual state of the survey of the United Kingdom? There was a complete map of England on the one-inch scale. As a map it was perhaps the most convenient of all, but for many purposes a larger map was necessary; and, if so, one on the 25-inch scale was probably the most desirable. There were two complete maps of Ireland, one on the six-inch scale, and one in outline on the one-inch scale, and a third in progress showing the physical characteristics of the country. In Scotland there were 30,000 square miles to be surveyed. A little more than one-fifth, or 6,348 square miles on the six-inch, and 4,022 square miles, or considerably less than one-seventh, on the one-inch scale were completed; but only 732 square miles on the six-inch, and about 1,000 square miles on the one-inch scale were published. It had happened once that the engineers were all removed to Ireland to make the survey on the six-inch scale, but it was scarcely fair to Scotland to take them away a second time. The people of Scotland had contributed their share to the surveys of England and Ireland, and they were entitled to have their country surveyed before further proceedings were adopted either in Ireland or England. They did not care upon what scale the map was done, whether the six-inch or the one-inch scale; but the survey ought to be completed. He did not wish to call for the action of Parliament, but he desired to hear what course Her Majesty's Ministers intended to adopt.

MR. E. ELLICE (St. Andrews) said, that in addition to what had fallen from his hon. Friend, he would beg the House to remember that in comparison with England the area of Scotland was exactly one-half. England and Ireland both had got capital maps; while Scotland had been waiting forty years for a map. It was now proposed to delay its completion, in order to expend £1,500,000 upon a second survey of England upon a larger scale. The survey of England had cost £1,060,000, while the survey of Ireland, on the one-inch and the six-inch scale, had cost about the same amount. In Scotland only 4,000 square miles had been surveyed, and that survey had cost £500,000—or half as much as the whole of England. Now, the survey of Scotland had been always estimated to cost only £1,000,000; but if only 4,000 square miles had cost half that sum, how would the survey of the remaining 26,000 be completed for the sum named. For his own part, he had been always opposed to a very expensive survey of the country, and he believed that a capital survey on a minor scale might be obtained for £300,000. But the conclusion having been arrived at that Scotland should be surveyed on a larger scale, he trusted the Chancellor of the Exchequer would take the matter into his serious consideration. It was generally supposed that the annual Vote of £70,000 was appropriated to the purposes of the survey of Scotland; but if hon. Gentlemen would look to the Return which he had obtained last year, they would find that nearly half the money was appropriated to other purposes. He found that last year only £20,000 of the £70,000 was spent in Scotland, £20,000 more having been spent in England, while £10,000 was laid out upon the revision of the map of Ireland, which had two maps already. There were other items in the list for military surveys, besides a long schedule of fanciful performances—such as copies of old maps, lithographs, and other things. It would be satisfactory if in the future it could be stated, when the Estimates were considered, what amount was to be appropriated to the survey, and that the Department should be bound either to spend the money on the survey for which it was voted, or to do as other Departments did—namely, pay the balance into the Exchequer. Now, the people of Scotland felt themselves much aggrieved in being placed in a worse position in respect to a survey than either Ireland or England, and he thought they had a right to claim that the survey in that country should be proceeded with in a continuous manner. If it were proceeded with at the rate of last year, instead of its being finished in ten years as promised, the youngest Member in that House could scarcely hope to live to see a complete map of Scotland. He trusted, therefore, that the Chancellor of the Exchequer would give the assurance, that before he embarked on the large expenditure proposed in Sir Henry James's Report, the money voted in the present year should be devoted to the survey of Scotland.

Mr. DODSON said, he hoped the right hon. Gentleman the Chancellor of the Exchequer would give no pledge not to commence the survey of England until that of Scotland was completed. The evidence taken before the Committee, of which the hon. Member for Wick was Chairman, showed that it was impossible to carry on the survey of the latter country continuously. The fact was that the more cultivated portions of Scotland had been very completely surveyed, and of those portions the Scotch people had not only a map on the one-inch scale, but also a plan on the twenty-five-inch scale. The portion which remained to be surveyed was the Highlands, and that it was possible to survey only during the fine portions of the year. A survey could not be carried on there in winter, while it could be proceeded with very well in England. It would be rather hard, therefore, to prevent men from going on with a survey in England at a time when they could not work in Scotland. On the other hand, a survey could not be so well made in England during the summer, on account of the crops. The survey might, he believed, be carried on most economically and profitably to both countries, if it were proceeded with during part of the year in Scotland and part in England.

Mr. FINLAY said, it might be impossible to carry on the survey during the whole year in the mountainous districts of Scotland, but there would be no difficulty in surveying the low-lying grounds, of which a large extent still remained unsurveyed. The subject, he might add, had attracted considerable attention in Scotland, and he hoped it would receive the consideration of that House.

THE ELECTRIC LIGHT.

OBSERVATIONS.

Lord LOVAINE said, he wished to call the attention of the House to the Correspondence between the Trinity Board and the Board of Trade, and to ask the President of that Board whether, in his opinion, the experience had of the Electric Light during nearly two years, is not sufficient to warrant its adoption at Portland? In their Correspondence the Trinity House omitted all reference to the most important fact that the Electric Light was distinguishable from all others; and while complaining that it had during nine months been extinguished, once for two minutes, once for thirty seconds, and eighteen other times for much shorter periods, they overlooked the facts that under the existing system it was necessary to extinguish the lamps every night at least once, for a quarter of an hour, to trim them. It was also said that the light depended entirely upon the care and attention of the engineer; yet, although that person had during the nine months so grossly neglected his duty that there was frequently danger of the boilers exploding, the light had perversely gone on exceeding all others in brilliancy and power. Its illumination could also be seen long before the light itself rose above the horizon. The Trinity House referred to the fact that two vessels had gone on shore in spite of the light; but the fact was that one of these vessels was in charge of a drunken captain and crew, while the other was the case of a light collier which would not answer her helm, and being on a lee shore was driven aground. It was also alleged that a large amount of skill and care was required in the engine-room, but the truth was that the most ordinary attention to the proper working of the engine was sufficient to insure the good action of the light. It was also much less costly than oil lamps. He did not impute to the Trinity House any desire or disposition to falsify facts, but he thought that they had not fully recognised the merits, and had greatly exaggerated the defects of this light. In short, the objections urged against the electric light were of much the same value as those which were brought forward when gas was proposed to be substituted for oil in the streets.

Mr. MILNER GIBSON said, he had some difficulty in answering the Question of the noble Lord, because on a scientific subject of the kind, of great interest and importance to the shipping interest, he could not form an opinion of his own except upon the advice and testimony of others fully acquainted with the matter. The exact position of the Board of Trade on such questions was this:—Whatever power they exercised in reference to light-houses and lights they possessed under the Merchant Shipping Act, but that Act gave them no power to initiate or propose any expenditure upon new light-houses or in carrying out any new processes for their illumination. Their duty was simply to control the expenditure; and when the Corporation of the Trinity House—the body charged by law with the administration of the light-house system—proposed any expenditure, it was submitted to them, and could not be incurred without their sanction. When the Trinity House proposed to re-construct the light-house at Portland, and improve the lights, the Board of Trade went as far as the Act permitted them, and suggested that before they gave their sanction to the improvements it might be well to clearly ascertain whether that light-house could not be prepared to receive the electric light, and they requested that the improvements should be postponed until the electric light had had a full trial. A certain amount of experience had been obtained of the electric light, but the Trinity Corporation was of opinion that it was not sufficient to satisfy them that it would be prudent to rely altogether upon the new method of illumination; and in forming an opinion they had the advantage of the aid of Mr. Faraday, one of the most competent men in the kingdom. He himself regarded the trial at Dungeness as most satisfactory; and, as far as he was competent to judge, the experiment promised exceedingly well. The noble Lord had acquitted the Trinity Corporation of any deliberate wish to retard improvement; and he would assure him further that the Masters and Elder Brethren were only desirous of arriving at a sound conclusion. Beyond the question of efficient lighting there were considerations of expense by which, of course, that corporation must necessarily be guided to some extent. Although it might be advisable to employ the electric light, if ultimately approved, in particular situations, there were other positions where ordinary lights would answer all the purposes of commerce and navigation. No obstacles would be thrown in the way of introducing the electric light; but it was necessary that those charged with the responsibility should take sufficient time to satisfy their minds that it was really a valuable and reliable invention. At the same time, he was quite prepared to admit that there was a reasonable limit of time within which they ought to make up their minds one way or the other; but as far as the Board of Trade and the Trinity Corporation were concerned, every means would be adopted to test the efficiency of this light; and if it proved to be all they had heard, he had no doubt it would be adopted at other stations besides Dungeness.

Sir JOHN PAKINGTON said, he had attended as closely as possible to all that had fallen from the right hon. Gentleman, but had been unable to discover what he intended to do. The official experience of his right hon. Friend had converted him into the most perfect piece of Ministerial caution he was acquainted with. The terms of the question addressed to him were clear and categorical. His noble Friend had asked, "Will you, as the head of the Department immediately connected with a question so important to our commerce and navigation, give us some assurance that this great improvement shall be adopted on this particular spot?" The right hon. Gentleman had not alluded to that spot in his answer. He had also been in hopes that the right hon. Gentleman would have alluded to the Start light-house, where an improvement was greatly required, but he had not mentioned it. The right hon. Gentleman's generalities were amusing. The right hon. Gentleman said the Board of Trade were desirous of obtaining the best scientific assistance. Would he allow him (Sir John Pakington) to suggest that the Trinity Board was the one where persons would least think of applying for scientific assistance. Even the noble Viscount, who held a distinguished position in connection with that corporation, would hardly lay much stress on its scientific attainments. But the right hon. Gentleman had mentioned one of the highest names in science—that of Mr. Faraday, and Mr. Faraday's opinion was in favour of the electric light. The right hon. Gentleman asked for time; what amount of time would satisfy him? It was clear from the right hon. Gentleman's own statement that he could not deny the advantages of the electric light. The Portland lights were bad, and required repair. The Start light was out of repair. There was twelve months' experience of the electric light at Dungeness; and it had remained in operation during that period with unbroken success. The answer of the right hon. Gentleman was not so clear and decisive as the commercial interests of the country had, he thought, a right to expect. He trusted that the Government would hesitate before they rejected the light, and that they would do all in their power to secure the great advantages which it promised to the shipping interests.

Lord HARRY VANE said, he drew a more favourable augury from the reply of the President of the Board of Trade than the right hon. Baronet had done. It had been admitted by the right hon. Gentleman that the Board of Trade knew the great advantage of the light, and there could be no doubt that it was the best light which could be adopted for light-houses; but there were two difficulties in the way—its permanence and its cost. Its permanency was the principal difficulty; but he hoped no long time would elapse before the Trinity Board arrived at the opinion, that though in that respect, and also as regarded the cost, there might be some objection, it ought not to stand in the way of the adoption of the light.

Mr. HENNESSY said, that both the Board of Trade and the Trinity Board quoted Professor Faraday in justification of their hesitation to adopt the electric light. And what said Professor Faraday? In a Report dated December 23rd, 1862, that eminent scientific authority stated that the evidence went to show that the electric light had not failed once in sixteen months, and that on examining it on the spot he found it to be in every point satisfactory; and in a second Report, dated in February of the present year, he repeated his favourable testimony of the great superiority of the new optical apparatus over the old system of lighting light-houses.

THE MHOW COURT MARTIAL—CASE OF SERGEANT MAJOR LILLEY

OBSERVATIONS.

Mr. D. FORTESCUE said, he rose to call attention to the circumstances attending the death, after four weeks' imprisonment, of Regimental Sergeant Major Lilley, of the 6th Dragoons, at Mhow in India, on the 25th of May 1862, and to the imprisonment at the same time, for a still longer period, of Troop Sergeant Majors Duval and Wakefield, of the same regiment, without either of the three having been brought to trial, or any formal charge having been preferred against them, and to ask whether the Commanding Officer, under whose authority the above took place, is still permitted to remain in command of the Regiment. The statement he had to make was a very plain and simple one, but before doing so he desired, in the first instance, to disclaim any intention of attacking the noble Lord the Secretary of State for War (Earl De Grey and Ripon), for whose ability and character he had the highest respect. He felt convinced, that if the disposal of this matter had rested with that noble Lord, and if his hands had not been tied to some extent by the action taken by the military authorities in India, he would not have lost a single day in taking care that full justice was done to the parties concerned. He knew something, however, of the difficulties he had had to contend with; and if the expression of opinion he trusted to elicit from the House should have in any degree the effect of smoothing those difficulties, and enabling him to take the course which his own sense of right and justice would naturally impel him to adopt, his object in bringing forward the subject would have been fully attained. The facts of the case were as follows:—About two years ago the command of the 6th or Inniskilling Dragoons was transferred from Colonel Shute, who now commanded the 4th Dragoon Guards, to Lieutenant Colonel Crawley, who exchanged from the 15th Hussars. It was not long before a change appeared in the good feeling which had previously existed between the lieutenant colonel and the officers under his command. Dissensions, into the origin of which it was unnecessary to enter, arose; and Captain Smales, paymaster of the regiment, wrote a letter to the commanding officer, containing charges of such a nature as hardly left Colonel Crawley any option between admitting the truth of these charges, and thereby admitting his own unfitness to hold the command, or, on the other hand, bringing the officer to a court-martial for making false and malicious charges against him. Colonel Crawley adopted the latter alternative, and a court martial was appointed to try the case. One of the principal features of the charge made against Colonel Crawley was his absence from the monthly parades of the regiment. Among the most important of Captain Smale's witnesses were the non-commissioned officers, because, from their peculiar position, it was almost absolutely impossible for them to make any mistake as to the identity of the officer in command of the parade. Accordingly, three of those non-commissioned officers, Regimental Sergeant Major Lilley, and Troop Sergeant Majors Duval and Wakefield, were regularly subpœnaed by the accused as his witnesses to prove the presence or the absence of the colonel. Before, however, they had an opportunity of giving their evidence, they were sent for by the commanding officer, not to the orderly-room of the regiment, which would have been the proper place, but to his private house, and there subjected to an examination of the most stringent kind, from which the adjutant of the regiment was excluded, and the only persons allowed to be present were witnesses for the prosecution and friends of the commanding officer. From that examination those three non-commissioned officers were marched off, and ordered into close arrest, with sentries placed over them. When any charge was brought against an officer, whether commissioned or non-commissioned, there were three kinds of arrest that might be enforced—he was placed either in ordinary arrest, that was, confined within the barracks or cantonments, which was the usual course; or in close arrest, which involved confinement to his own quarters; or, lastly, what was very rare, and resorted to only in cases of a very grave or criminal nature, in close arrest, with sentries posted over him. To the last sort of confinement were these men subjected on a charge of conspiracy, which His Royal Highness the Commander-in-Chief, in a memorandum lately issued, stated there was not a shadow of evidence brought forward to sustain. What did the 99th Article of War say with respect to confinement? It said—

> "When any soldier or officer commits an offence deserving of punishment, he shall be ordered into arrest or confinement until released by lawful authority; and no officer or soldier shall continue in such arrest or confinement more than eight days, or until such time as a court martial can conveniently be held."

And the 79th Article said—

> "Whoever shall unnecessarily detain any prisoner in confinement without bringing him to trial, shall, if an officer, be liable to be cashiered, or to suffer such other punishment as, by the judgment of a general court martial, may be awarded."

But those men were kept in confinement without trial not for eight days, but for several weeks: one was liberated only by death; and when the order for release came for the other two, it found one of them a raving lunatic, and he was conveyed to the hospital suffering from brain fever. After four weeks' imprisonment Sergeant Major Lilley was taken ill, and he died within a few hours. No inquest or committee of inquiry, which in India was equivalent to an inquest, was held; but a *post-mortem* examination was made by the regimental surgeon, who certified that the cause of death was apoplexy, brought on by his sedentary life and the peculiar and painful circumstances in which he was placed. How painful and how peculiar those circumstances were, he would now proceed to explain to the House. The place where Sergeant Major Lilley was confined was a single room in a bomb-proof building, formerly used as cavalry stables, and which had since been pulled down as unfit for the occupation of European troops. It was almost impossible that the roof of this building could get cool, as it was so formed that the amount of heat absorbed by it in the day could not be carried off by night. In a room, then, more like an oven than a human habitation was Sergeant Major Lilley imprisoned, and that room was shared by his wife, who was confined to her bed by a diarrhœa attending the last stage of consumption; in fact, she only survived her husband two or three days. A sentry was placed over the sergeant major, with strict injunctions to keep him constantly in sight, and not to allow him to receive any communications from without. The adjutant, with proper feeling, had in the first instance placed the sentry outside the room; but in consequence of a sergeant's wife having attempted to communicate with the sick woman—to give her some flowers, he believed—Colonel Crawley, incredible as it might appear, ordered the sentry to be stationed inside the room ; and there, in the presence of strange men, renewed from day to day and from hour to hour, and posted three feet from her bed, all the functions of nature had to be performed by this dying woman. Colonel Crawley had pleaded ignorance of those circumstances, professed to be shocked when he heard of them, and attempted to throw the blame of this indecent and inhuman proceeding upon the adjutant who received the orders. Unfortunately for him, there were witnesses to prove that it was distinctly brought under his notice at the time that Lilley was a married man, and also that his wife was ill. To these representations Colonel Crawley replied, in language he did not choose to repeat to the House, that he did not care—married or single, officer or soldier, the duty should be done ; and it was done. Those facts were not imaginary ; he had drawn them from documents placed in the hands of the military authorities, and he might almost say he knew every word he uttered might be fully proved from the evidence of witnesses now in this country. An attempt had been made to prove that the death of Lilley resulted from excessive drink, and a native suttler's Bill was brought forward to show that a large quantity of wine and spirits had been supplied to him during his confinement. That assertion had been adopted by Sir Hugh Rose, who gave it general currency in his remarks upon the court martial, which were read at the head of the regiment. But it turned out, on investigation, that the spirits had been consumed not by the sergeant major, but by his sick wife, who was entirely kept alive for some weeks by taking, under medical advice, large doses of wine and spirits. The evidence of the sentries and of the medical officer proved conclusively that neither during his lifetime nor after his death were there the slightest signs of excess on Lilley's part. And his Royal Highness had endorsed that statement, and vindicated Lilley's memory from the imputation sought to be cast upon it. He would not dwell upon the character of the deceased, or the esteem in which he was held in the regiment, nor on the testimony borne to his character by the two commanding officers under whom Lilley had previously served. For redress and reparation it was unhappily too late ; for Lilley was dead, his wife was dead, his children were dead. But if it was too late for reparation, it was not too late for punishment, such punishment as he trusted that House would force upon the reluctant authorities at the Horse Guards. The death of Lilley had excited a very painful feeling in India ; the matter had been taken up by the press, and it became clear that the discussion of it could not be confined to that country. It was at last brought under the notice of His Royal Highness the Commander-in-Chief, who, while censuring Colonel Crawley in his memorandum in terms of well-deserved severity, had, with the most incomprehensible leniency, still left him in possession of that command for which he had shown himself so manifestly unfit. Let the House mark the varying measure of justice dealt out in military offences according to the rank of the offender. Paymaster Smales, for writing a letter which was considered insubordinate, though the charges brought forward in it had been fully established, was brought to a court martial, tried, condemned, and cashiered. His professional prospects were blasted ; while the commanding officer, for an offence, which, however it might be viewed elsewhere, no one in that House would dispute was far graver, alike in its character and its consequences, was visited with no severer punishment than a simple reprimand. But he could not believe that in the face of such facts as had been brought forward this strange leniency would be persisted in. He hoped Colonel Crawley would not be left the power, as he had shown he had the will, to inflict tyranny and persecution on those beneath him. So persuaded were the Serjeant's relatives that his blood lay at Colonel Crawley's door that he had authority for saying they were determined to indict him for manslaughter so soon as he appeared in this country, unless the Government took the matter up earnestly. Before he sat down there were two objections he wished to meet. He hoped it would not be said that he was attacking an absent man who had no opportunity of defending himself. The charges he had made against Colonel Crawley were not only contained in documents in the possession of the War Office, they had been for months the property of the public papers, they were widely circulated and widely believed; and it was from no wish to blacken his character, but rather to enable him, if he possibly could, to clear it, by means of a proper investigation, that he brought the facts before the House. He had no knowledge of him, he did not even know of his existence until he saw him named in connection with these transactions, and it was the natural feeling which such transactions had aroused in his mind that had determined him to bring forward the case. The other objection which might be urged was, that it was not the province of that House to interfere with the ordinary administration of justice, which should rest with the usual tribunals. In that view, as a general rule, he entirely concurred; but if the House, as a general rule, was bound to abstain from interference with the ordinary administration of justice, it was not only warranted, but imperatively called upon, to interfere in case of the administration of injustice. It was in those exceptional cases where redress had been sought, and sought in vain, at the hands of the ordinary tribunals, that a last appeal had to be made to that public opinion of which the House was the highest representative; and it was the full belief that that appeal would not be made in vain that had induced him to bring the matter before the House of Commons.

MR. CONINGHAM observed, that the memorandum which had just been issued by the Horse Guards had completely altered the aspect of the case. By continuing Colonel Crawley in command, the Horse Guards had become responsible for his conduct, and he sincerely trusted that the weight of public indignation, and the reprobation of that House would be expressed in clear and measured terms with reference to the proceedings of his Royal Highness the Commander-in-Chief on that occasion. He would quote one or two passages from the memorandum of his Royal Highness—

> "His Royal Highness the Duke of Cambridge has read, with deep regret, the proceedings of the court martial on Mr. Smales, late paymaster of the 6th Dragoons, and in reviewing the proceedings of the court and the subsequent remarks his Royal Highness regrets that on some points he has been under the necessity of differing from officers high in command"—(alluding, he supposed, to one high in command in India, but who had a powerful friend on the Treasury bench)—"on whose judgment, on all other occasions heretofore, his Royal Highness has had the greatest confidence. Nevertheless, for the interest of the service, his Royal Highness has but one course to pursue."

And what would the House believe was that course? To retain the colonel in command of a distinguished regiment to which he was such a disgrace. His Royal Highness went on to say that Colonel Crawley

> "appears to have taken exception to certain practices in the regiment detrimental to its *esprit de corps*, and the language he made use of on several occasions his Royal Highness considers as exceedingly injudicious. Colonel Crawley's rejoinder to Mr. Smales's defence his Royal Highness considers as exceedingly vindictive, and likely to raise a spirit of resistance among his officers. It is only from the high opinion expressed of Colonel Crawley by the Major General under whose immediate command he is serving, that his Royal Highness allows Colonel Crawley to remain in the regiment; but it will be on trial only. His Royal Highness hopes that the report of the statements made by Colonel Crawley, on the occasion of his reading out the remarks of his Excellency Sir Hugh Rose, may prove to be incorrect, or it would add very much to his already very reprehensible conduct, and would necessitate his Royal Highness taking serious notice of the circumstances. As regards the confinement of the three non-commissioned officers, his Royal Highness views it with extreme displeasure."

It should be remembered that Colonel Crawley, by the imprisonment of these men, had rendered himself liable to be tried by a court martial.

> "They were placed under arrest for conspiracy, when, it appears, there was no charge preferred against them, or the shadow of evidence produced to that effect; and it would almost appear that his Excellency Sir Hugh Rose had been misinformed of the circumstances of the case, or he would not have dealt with the subject as he did, and would not have attributed the death of Regimental Sergeant Major Lilley to excess."

Was that a state of things to be permitted and maintained by the Horse Guards? If anything could sap the discipline of the British Army and lower the high spirit of the British soldier, it would be such conduct as this, should it receive the sanction of that House. He therefore hoped the noble Lord, in his reply to his hon. Friend, would not confine himself to the conduct of Colonel Crawley, but justify, if he could, the Commander-in-Chief, who, by the issuing of the memorandum to which he had referred had made himself responsible for every act Colonel Crawley had committed.

THE MARQUESS OF HARTINGTON said, he would first reply to the Question which had been put to him by the hon. Member for Inverness (Mr. H. Baillie), the forms of the House having prevented his doing so at an earlier hour of the evening. It was perfectly true that considerable delay had occurred in proceeding with the Ordnance Survey in Scotland. In consequence of the necessity to have certain districts on the coast of England surveyed preparatory to the erection of the fortifications, the force was partially reduced in Scotland. That survey, however, was now finished, and the force would be restored to Scotland in the same strength as before the change. The more cultivated districts in Scotland having been for the most part surveyed, it was intended in future to employ in Scotland a large force during the summer months, when the weather and length of the day were favourable to the survey of the mountainous districts, and during the winter that force would be removed to England, where it could be more advantageously employed. He hoped that explanation would be satisfactory to the hon. Gentleman.

He then came to the unfortunate occurrences which took place last year in India, and to which the attention of the House had been called. It was not necessary that he should go back to the history of the 6th Dragoons further than to the court martial which sat in April last in Calcutta, on Captain Smales, paymaster of the regiment. Very shortly after the commencement of the proceedings of that court martial the president was informed that the proceedings had been furnished by some person who had been present, and had been read by the sergeant majors in the house of one of them previous to their examination. Colonel Crawley represented to the president that such a course set at naught all the regulations for the conduct of the court and the president, while he did not attach blame to any one for what had taken place, strongly denounced the practice, and forbade any person connected in any way with the court martial to make public the proceedings until they were officially closed. On the 26th of April, acting on information given him, Colonel Crawley summoned Regimental Sergeant Major Lilley and Troop Sergeant Majors Duval and Wakefield before him, and in presence of some of the officers of the regiment they were called in to be examined. That examination was an irregular one, and the sergeant majors were not warned that what they stated might be used as evidence against themselves. However, as the result of the examination, Colonel Crawley placed the three sergeant majors under arrest on a charge of conspiracy; that arrest was not, as has been said by the hon. Member, close arrest; they were simply placed under ordinary arrest. At the same time, Colonel Crawley informed Major General Farrell of the charge on which he had arrested these officers, and requested his instructions as to their trial, and instructions as to placing them under close arrest. On the 28th of April General Farrell wrote to Sir William Mansfield, Commander-in-Chief of the district, and referred the question which had been asked of him by Colonel Crawley for his decision. At the same time, he informed Colonel Crawley of the reference which he had made, and with regard to the application as to placing the sergeant majors under close arrest, he added that Colonel Crawley had been verbally instructed that pending the decision of the Commander-in-Chief the arrest should be close. On May 6th Sir William Mansfield wrote, that having examined the evidence which had been sent to him by General Farrell, which consisted of Colonel Crawley's letter, the testimony of the sergeant major who had informed on his comrades, and the examination of the sergeant majors, in his opinion the evidence would not support the charge for conspiracy, his opinion to that effect being principally based on the fact that the sergeant majors had not been warned as to the use that would be made of what they might say in evidence. He went on, however, to say that their conduct had been most improper, but whether Sergeant Major Lilley and the other sergeant majors had acted in the spirit of hostility to Colonel Crawley, or from other motives, Sergeant Major Lilley had grossly derogated from his duty by participating in what had taken place, and in allowing such occurrences to go on without bringing them to the notice of his commanding officer. Sir William Mansfield said that under such circumstances Sergeant Major Lilley was totally unqualified to occupy his position as sergeant major, and should be dismissed; and he concluded by stating that he wished the sergeant majors should be kept in arrest until the end of the court martial upon Paymaster Smales. Shortly afterwards, at the beginning of May, the court martial was adjourned on account of the illness of Captain Smales, and some other causes. The court martial not being concluded, the sergeant majors were still kept under close arrest. On the 24th of May Sergeant Major Lilley was reported to be sick; and on the 25th he died. On the 2nd of June Sir William Mansfield wrote to General Farrell that he had heard through the public newspapers that the confinement of the sergeant majors had been not only close, but of an absolutely penal nature, and that during that confinement Sergeant Major Lilley had died, He said that when he issued his directions of the 6th of May he was under the impression that the court martial would be terminated at or about the time when those directions would reach Mhow, and that consequently the sergeant majors would be at once liberated. He said also, that on the adjournment of the court martial the General commanding the division—Major General Farrell —should either have acted on his own responsibility and released the sergeant majors, or, if he did not deem that within his power, he should have made another reference to him by telegraph, and have obtained their enlargement. Sir William Mansfield inclosed in that letter a memorandum which he directed to be read to the troops at Mhow, stating his extreme regret that the unfortunate circumstance should have occurred, and explaining the reasons which had induced him to order the sergeant majors to be continued under close arrest. Those reasons were :—First, that from the evidence produced before him those sergeant majors had narrowly escaped—if they had indeed escaped—the commission of a most serious crime ; and that it was necessary, in his judgment, to keep them from the temptation which, if set at liberty, they would have been under of repeating that crime. Secondly, that in his opinion it was necessary that they should be confined in close arrest in order to prevent parties concerned in the court martial from tampering with them, and concocting the evidence which they were to give. His third reason was, that it was necessary that the charge which had been brought against them by Colonel Crawley should not be condoned by the release of the prisoners until it clearly appeared during the progress of the court martial whether any further evidence could be produced upon which they could be tried. These, then, were the chief facts connected with this most unfortunate case, and which were substantiated and contained in the documents before the Horse Guards and the War Office. Upon them the opinion of the learned Judge Advocate had been taken. It would not be in accordance with precedent for that opinion to be laid on the table of the House, but there was no objection to his stating its substance. Having had these documents before him, the learned Judge Advocate had given it as his opinion :—First, that Colonel Crawley had not sufficient grounds on which the charge of conspiracy brought by that officer against the sergeant majors could be established. Secondly, he was of opinion that the continued arrest as sanctioned by Major General Farrell and Sir William Mansfield was illegal under the Articles and the section of the Mutiny Act which had been read, and that the reasons alleged in Sir William Mansfield's memorandum were not valid. It would be obvious from that statement that in this matter some one had been very much to blame. But he would submit to the House that it was necessary to inquire how the responsibility for what had occurred was distributed among the officers concerned. Colonel Crawley. it was perfectly clear, thought that he had evidence to prove a charge of conspiracy against the sergeant majors. He placed them under arrest, simple ordinary arrest, and he immediately forwarded a report to the General commanding the division, stating the offence of which they were accused, requesting that officer's instructions with regard to that charge, and asking his sanction before taking the step of placing them under total or close arrest. Major General Farrell appeared to have been wrong, in the first instance, in ordering that they should be placed under close arrest. He was probably wrong, also, in not at once perceiving that there were not sufficient grounds for the charge of conspiracy, and in referring the matter at all to Sir William Mansfield. Still more, however, was he wrong in obeying the letter and not the spirit of the instructions which he received from Sir William Mansfield. Those instructions were, that the sergeant majors should be kept under arrest till the conclusion of the court martial, Sir William Mansfield considering, and fairly considering, that when an entirely unforeseen occurrence, such as the indefinite adjournment of the case, took place, Major General Farrell ought to have taken that circumstance into consideration, and either have acted on his own responsibility, or at any rate made another reference to him. Then Sir William Mansfield appeared to have been wrong in the legal view he took of the evidence submitted to him. He was wrong in stating, that though the charge of conspiracy could not be supported, yet that in the interest of discipline it was expedient that the sergeant majors should be continued under arrest. Sir William Mansfield appeared to have acted under the impression that in ordering that continued arrest he was doing something in the nature of a remand—that he was, in fact, only doing what a police magistrate did when he remanded a prisoner in order that further evidence should be produced against him. In that impression Sir William Mansfield was quite wrong, and that seemed to be the extent of his error. Such being the manner in which these officers divided the blame and responsibility to which they had rendered themselves liable, the next consideration was, what could possibly be done by the home authorities in the matter? If Colonel Crawley was covered, as in the opinion of the Government he was, by the command of his superior officer, it was quite evident that he did not render himself liable to be tried, and that it would be perfectly useless to attempt to try him by court martial; for his act was sanctioned by his superiors. Major General Farrell also appeared to be covered technically in what he had done by the authority of his superior officer. But the conduct of these officers and the illegality of the course which they pursued was a subject which it would be perfectly in the power of the Commander-in-Chief, in conjunction with the Secretary of State, to point out to them, and bring under the notice of the army in such terms of reprimand and reprehension as might seem to be advisable. But what he wished to point out was, that it was incumbent on His Royal Highness to act with the greatest care and caution when he was dealing with so distinguished an officer as Sir William Mansfield. There were few officers in the army who had more distinguished themselves or done better service to their country than Sir William Mansfield. If he was right in the view which he had tried to place before the House, it would be evident to all that Sir William Mansfield acted under a misapprehension, and that he was in no way mixed up with the miserable squabbles and petty jealousies which had distracted the 6th Dragoons. It must be evident that, though wrong, Sir William Mansfield acted for what he supposed to be the best interests of the discipline of the army. Under these circumstances, it was the duty of His Royal Highness to deal not only with care and caution, but also with the greatest moderation and leniency. As it appeared that the confinement, and especially the close confinement, of Sergeant Major Lilley and his comrades was clearly illegal—as it also appeared that the death of Sergeant Major Lilley was probably caused by his confinement, and as a claim had been made by his surviving relatives, who were persons in poor circumstances, having been entirely supported by him, it seemed to the Government to be right that some reparation should be made to them for the loss they had sustained. The Government had therefore determined, with the sanction of that House, to make such a grant to the relatives of Sergeant Major Lilley as would be about equal in amount to the pension to which the deceased would have been entitled had he received his discharge at the time of his death. These were the main facts in the case, and upon them it appeared that no further light could be thrown. There were, however, certain collateral circumstances, with respect to which it was necessary that further inquiry should be made. So far as he had yet gone, his statement, as the House would have perceived, had entirely coincided with that of the hon. Member for Andover; but there was a marked discrepancy between the statements of Colonel Crawley, as made in his address to the court martial, and the allegations of Lieutenant Fitzsimon, the adjutant of the regiment, whose declaration had very recently been brought before the Secretary of State. Lieutenant Fitzsimon entirely denied the allegation of Colonel Crawley, that it was he, the adjutant, and not Colonel Crawley himself, who gave the order that the sentry should be posted inside and not outside of the room in which Sergeant Major Lilley was confined, and in which his wife was lying ill. That was a point which bore strongly on the character and moral guilt of Colonel Crawley; but when Colonel Crawley affirmed one thing, and Lieutenant Fitzsimon affirmed exactly the reverse, it was obviously impossible for any one at home to come to any decision on the matter until it had been thoroughly investigated on the spot. It was necessary that the conduct of Colonel Crawley with respect to these charges, and also the circumstances which accompanied the withdrawal of the letter from Lieutenant Fitzsimon, in which he contradicted the statement of Colonel Crawley, should be made the subject of an investigation. [Mr. CONINGHAM: What about the memorandum?] The memorandum published by His Royal Highness condemned in very strong terms the conduct of Colonel Crawley, chiefly with reference to the internal discipline of the regiment; but at the date of its publication His Royal Highness was not in possession of the opinion of the Judge Advocate General, or of all the facts, as they now appeared before the House. It was evident, if the facts were as he had stated them, that Colonel Crawley, though there might be great moral guilt resting upon him, could not be punished, except on that collateral point which he had said was the subject of an investigation. It would have been a great deal more satisfactory to himself, and doubtless to the House likewise, if he could have come down that night and handed over to them a victim who should atone for the wrongs and sufferings of Sergeant Major Lilley and his comrades. Although he could not produce a victim to the House, his consolation was, that he had told them without any reserve the facts of that most painful case; but he was sure that, on reflection, the House would agree with him, that not even the horror which such a tragedy inspired, or not even the disgust which was caused by a contemplation of such mismanagement and such military scandals as had been revealed in the case of the 6th Dragoons, would justify the Commander-in-Chief, or the Secretary of State, in departing one hair's breadth from the strict rules and principles of justice.

MR. ALDERMAN SIDNEY said, that he thought that sufficient evidence had been laid before the House to warrant the conclusion that a gross injustice had been perpetrated. He did not participate in the warmth of the hon. Member for Brighton, who had expressed, in honest and indignant terms, his great astonishment that His Royal Highness the Commander-in-Chief—knowing and reprobating the circumstances of this deplorable case—should allow Colonel Crawley to remain one day at the head of his regiment; but he was satisfied, that if such an outrage as that to which Sergeant Major Lilley had been subjected were to be committed among civilians, no mere rank would save the guilty party from an immediate judicial inquiry. It was not satisfactory to be told that Colonel Crawley was continued in command of his regiment simply because he enjoyed the confidence of his superior officer. Why, according to the statement of the noble Marquess, that superior officer was himself implicated in the affair; and it must never be admitted that the rank of Sir William Mansfield or General Farrell should be accepted as a set-off to the offence perpetrated at Mhow. He took leave respectfully to tell that House and the Commander-in-Chief, that if the Britith army was to enjoy the confidence of the country, they must be allowed to have the freedom from injustice and military tyranny that civilians enjoyed. He hoped, therefore, that the noble Marquess would be prepared to give an assurance that something more than mere collateral inquiry should be made. There ought to be a strict investigation into all the circumstances of the case; and if the guilt of this man's death was traceable to any one, inasmuch as the Judge Advocate General had declared that the imprisonment was illegal, punishment should follow. Never had a crime more flagrant been committed under circumstances of greater indecency. One fact the noble Lord had not made any allusion to, and that was, that Sergeant Major Lilley's wife, who had been placed in the same cell, died in her confinement, which took place under circumstances of the grossest indecency. Who knew what that poor creature suffered in her last moments? No more horrible case had ever been known in the annals of the country, and it passed all comprehension how English men and women could be subjected to such brutal treatment at the hands of their brother Englishmen. The answer of the noble Lord was not, in his opinion, sufficient, and nothing less than an immediate inquiry, and a suspension at all events of Colonel Crawley during the inquiry, would satisfy the just indignation of the country.

COLONEL BARTTELOT said, he thought that the speech of the noble Lord would be read in India with some displeasure, or at any rate with great regret, by all the officers composing the Indian army, because the noble Lord had endeavoured to shift the blame from one to another. He had left it upon nobody, but had implicated those general officers in India who had distinguished themselves on all occasions, and who, he had hoped, would have received from the noble Lord complete exoneration in this matter. He had hoped also that the noble Lord would have been able completely to exonerate Colonel Crawley. ["Oh, oh!"] He was not acquainted with that officer, and only defended him as he would defend any other absent man who was unjustly attacked. Many statements had been made in this country; but it should be borne in mind that they were all on one side. He would appeal to the House of Commons not to condemn a man unheard, and he believed that Colonel Crawley was both anxious and willing to meet the charge in every particular. He was satisfied that it was only from a sense of duty towards officers higher in command than himself, that Colonel Crawley had refrained from answering the statements which had appeared in the papers. With the exception of the noble Lord, every speaker had denounced him, and the hon.

Gentleman who had spoken first had declared that he was not fit to command the regiment; but India was a distant country, and there were many circumstances attending the court martial at Mhow which they had not been able to arrive at These sergeant majors were certainly believed to be guilty by Colonel Crawley and General Farrell; and when the evidence and the charges preferred were forwarded to Sir William Mansfield, though that officer thought the evidence insufficient to prove the charges against them, he still said, that under the peculiar circumstances of the case, these men were to be kept in closer arrest until the termination of the court martial. If that were so, surely Colonel Crawley had some reason for what he did, and neither he nor any other officer ought to be hastily judged. It should be remembered that men in the army were under a different rule from civilians, and that they had not the same ready methods of redress which civilians enjoyed. A man who was serving his country abroad ought not therefore to be assailed in his absence, unless sufficient reasons for so doing existed. On previous occasions Colonel Crawley had shown great kindness towards the regimental sergeant major. He (Colonel Barttelot) was not going to blacken the memory of the sergeant major. All he wished was to show that Colonel Crawley was not answerable for the death of the sergeant major. The fact was that circumstances had conduced to his death which no one could control. He was an exceedingly large man; it was, as they all knew, a very hot climate, and apoplexy was often fatal in a very short time. The day before his death Colonel Crawley had asked General Farrell whether the close arrest might not be changed to ordinary arrest, and that request was granted, so that at the time of Sergeant Major Lilley's death he was in ordinary arrest. With regard to the adjutant, Lieutenant Fitzsimon, to whom allusion had been made by the noble Lord, it did not appear from the remarks of Sir Hugh Rose upon the court martial that this officer stood very high in his opinion, for he said that the evidence of the adjutant was evasive and unsatisfactory, and showed his entire unfitness for the post. The Commander-in-Chief in India was not likely to be prejudiced or to have any bias upon such a matter; and that to his neglect of duty might be traced the annoyance caused by putting a sentinel in the quarters of Sergeant Major Lilley when he was under close arrest. [Mr. CONINGHAM: That was the statement of Colonel Crawley himself.] He thought that nobody would believe that the Commander-in-Chief in India would be prejudiced by what might be written by Colonel Crawley, or that he would even read it; and besides he was many hundred of miles away from where the inquiry took place. General Farrell, who was in this country, in a letter which he held in his hand said—

> "You will perceive that another letter has appeared in *The Times* of this morning, signed "Civilian," wherein a gross misrepresentation of the truth has been made in regard to Lieutenant Fitzsimon. The case is as follows:—Lieutenant Fitzsimon wrote, commenting, as I conceived, in a disrespectful manner on Sir Hugh Rose's order; and this letter I advised him privately, at my office in Mhow, to withdraw. He said he would do so on my order. 'No, no,' I said, 'you can send it on if you like. If you wish to withdraw it, it must be your own act and deed;' and as his own act and deed he did withdraw it. If I recollect right, my assistant adjutant general, Major Champion, and my aide-de-camp, Lieutenant Gayer, were present. With reference to Colonel Crawley's dropping the charge of conspiracy against Sergeants Lilley, Wakefield, and Duval, he had nothing to do with it. I, as General commanding the division, received orders from the Commander-in-Chief directing them to be forgiven, and a warning order to be read out to all the non-commissioned officers assembled for the purpose. This order I duly read, and Sergeants Wakefield and Duval were released accordingly. Sergeant Duval had been in hospital for a short time with fever, which was very prevalent in the regiment at the time—nothing more. A summary of evidence was sent in by Colonel Crawley to me, against the sergeants, which summary I forwarded to the Commander-in-Chief, and it was his order that no prosecution against them should take place, and that they should be forgiven."

This showed that Colonel Crawley was not to blame, and he was sure that the sense of justice entertained by Englishmen would lead them to feel that this was not a case to be decided in any hurry or upon any one-sided view. The sick wife of Sergeant Major Lilley died, and he was sure that no one deplored her loss and that of the sergeant major more than Colonel Crawley must have done. But Colonel Crawley's wife was now in this country, and annonymous letters had been sent to her declaring that on her husband's arrival in this country a charge of manslaughter would be preferred against him. Every one must deprecate such conduct. It had been said that Colonel Crawley ought to be removed from the command of his regiment; but was it probable, that if he were unfit for the command, he would be retained in it by the Commander-in-Chief? That was *primâ facie* evidence that he was not guilty, and in his opinion he was rightly and justly retained in the position he occupied.

In conclusion, he would appeal to the House and to the country not, for the sake of doing what was alleged to be an act of justice to a man who had died in the service, to do an act of injustice towards a man who was still serving his Queen and country to the best of his ability.

Mr. Serjeant PIGOTT was surprised that the hon. and gallant Officer should have charged the noble Lord with not having done his duty towards these officers; for he certainly thought, after hearing the circumstances of the case, that the noble Lord had dealt very tenderly with them; because, though to some extent blame was cast on each of them, they were all acquitted by the noble Lord of any share in the blame. The hon. and gallant Member had told the House that Colonel Crawley was not to blame; but he wished the hon. and gallant Gentleman had gone one step further, and informed the House, if Colonel Crawley was not to blame, who was? The undertaking by the Government to make a little compensation by a sum of money to the family of Sergeant Major Lilley had very little to do with the great question under consideration. It was of the last importance that those in command, having liberty and life at their disposal, should use their great power with tenderness and with an extreme desire to do justice; and if justice was altogether neglected and set at nought, as it had been in that particular case, some one must be responsible, and an inquiry should be instituted until the reponsible individual was found. That there might be extenuating circumstances, he was quite willing to admit; and, in the absence of the guilty party, he was willing to believe that the lamentable occurrence was the result of some mistake on the part of one, perhaps of many persons; but surely no officer could be ignorant of the Articles of War, and that they had no right to hold an individual under arrest for a period of a month, without bringing that individual to a court martial. He believed, that eight days was the limit, unless under special circumstances. If Sergeant Major Lilley happened to be a large man, and liable to apoplexy, there was the more reason for caution in the selection of the place of confinement. Under all the circumstances, he thought that the noble Marquess had exercised great fairness towards the officers; but he still hoped that a rigid inquiry would be instituted into the affair.

Captain ARCHDALL said, that after the statement of the noble Marquess, that further inquiry was to take place, no good purpose could be gained by prolonging the present debate; but, as an old Inniskilling officer, he felt for the character of the regiment, and he therefore regarded with satisfaction the testimony borne to its former good condition by the Commander-in-Chief. He hoped, that when the matter before the House was brought to a conclusion, the Inniskilling Dragoons would be restored to their previous state of discipline and efficiency. He did not think that under no circumstances could a commanding officer be removed from his command without committing some crime; for when a regiment, whose discipline and good conduct had been remarkable in every respect, became afterwards in such a state as the Inniskillings were in subsequently to their arrival in India, the fact of that unfavourable change taking place, might of itself, under the circumstances, be a sufficient cause for the removal of the commanding officer.

Mr. HEADLAM observed, that the reason why Colonel Crawley was not removed, was because what he did was sanctioned by his superiors in command. After that fact had been ascertained, it was impossible to remove him.

Amendment, by leave, *withdrawn*.

Main Question put, and *agreed to*.

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply *considered* in Committee.

(In the Committee.)

(1.) Motion made, and Question proposed,

"That a sum, not exceeding £165,000, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for constructing certain Harbours of Refuge.

Mr. LINDSAY asked, whether the foundations of the works for the harbour at Dover were laid to the whole extent?

Lord CLARENCE PAGET stated, that what was being done with respect to Dover Harbour was the completion of the structure on the foundations already laid down. The Government were not extending the foundations of the harbour beyond the point which would allow two ships to lie alongside the new pier.

Mr. PEEL observed, that a contract had been made, and the total estimate of £650,000 for Dover Harbour was not likely to be exceeded.

Mr. LINDSAY said, that under these

circumstances he would exclude Dover from the remarks he was about to make; but he should simply move that the Vote be reduced by £80,000—the amount required for Alderney Harbour. That could not in any way be described as a harbour of refuge, though the money was asked for under that head. Alderney was entirely out of the way of ships entering or leaving the Channel, and no sane man would attempt to run for that harbour in a gale of wind, because it was surrounded by dangers. But then it was said to be a good military station. He was not able to deliver an opinion on that point, but he understood that some competent professional authorities declared that it would require from 3,000 to 8,000 men to garrison it in the event of war. Since the Vote was taken last Session a plan of the works had been laid before the House, and from that plan he had no hesitation in saying, that if the Government consulted their engineers, they would learn from them that the harbour could not be made safe and efficient for less than £2,000,000. The original Estimate was £620,000. Already that estimate had been exceeded by £427,000, and at least £750,000 more would be required to make a safe harbour of it. The late Government were very candid in the matter; the report of their officers distinctly stated that the work would require £2,000,000: but the present Government, when they came into office, set that estimate aside, and came down to the House stating that they could make an efficient harbour for £1,300,000. The hon. Gentleman concluded by moving the omission from the Vote of the sum of £80,000 required for Alderney Harbour.

Motion made, and Question proposed, "That the Item of £80,000, for the Harbour at Alderney, be omitted from the proposed Vote."

LORD CLARENCE PAGET said, he thought it would be very unwise in the Committee to consent to his hon. Friend's Amendment. Though he did not mean to go into the military merits of Alderney, there was no doubt that in the judgment of naval and military officers the harbour was of the highest value as a look-out station, and he protested strongly against his hon. Friend's assumption that it was entirely useless. He would frankly and freely state what had been done by Her Majesty's Government in the matter. Almost the first act of the Government, when they came into office in July 1859, was to inquire how far it would be advisable to extend the harbour. They found that the substructure of the great breakwater had been laid down to a certain point, and they sent for the engineers employed by the Admiralty to ask them whether it would be possible to limit the completion of the breakwater up to that point. The engineers told them that the contractors had been led to expect that the work would be extended to a considerable distance beyond that point, and likewise that it was intended to erect an arm of the breakwater on the eastern side of the harbour. The Government then asked whether it would be possible to make an arrangement with the contractors, so that the breakwater should not be carried beyond the foundations already existing. A great deal of correspondence took place with the contractors, who said, that having been led to believe that the work was to be carried much further, they had procured plant for that purpose, and had gone to considerable expense in making other preparations; and that they could not agree to stop the breakwater without a large compensation. After many communications an arbitration was proposed, and he was glad to be able to inform the Committee that an arrangement had been made with the contractors by which they would receive a fair and reasonable compensation for their plant and any expenses which they had incurred. The Government had stopped the eastern arm of the breakwater, and they had also stopped the extension of the breakwater beyond the point to which the substructure had been laid down. All they were doing was to complete the superstructure as far as the foundations had already been laid. Up to that point a great mass of stones had been thrown down for a foundation, which, being during the spring tides only eleven feet from the surface, constituted a great danger to vessels of a moderate draught which took the harbour in a gale of wind. The present Government had not caused a single stone to be thrown in beyond the foundations which they found there when they came into office; so that, in fact, all they were doing was to complete what had previously been commenced; and he besought the Committee to consider what a disgrace it would be to the country if they left underneath the water a shoal which must be a snare to vessels taking the harbour in bad weather. Such was the simple statement of the case. The

Government had come to a fair arrangement with the contractors, and had given up the construction of the eastern arm. It was impossible to say exactly, when dealing with works below the water, but he trusted that the sum of £1,300,000 would not be exceeded; and after communications with the engineers, and after visiting the harbour in company with the Duke of Somerset, he had every reason to believe that the breakwater would be completed to the point which he had mentioned for that sum, which would likewise include the cost of blasting some sunken rocks inside the breakwater. The Government were really only doing that which would give, if not a good, at least a fair harbour of refuge. The Committee would be deceived if they supposed that it was unsafe for vessels. A man-of-war was lying there during the winter months, and it did afford shelter to small vessels, of which class were the vessels which would be employed in watching an enemy's coast. The Government was not going to extend the works. On the contrary, they had made such arrangements as would render it very difficult indeed for any Government to extend them. Under these circumstances, he did hope the Committee would allow them to complete a work which, if left unfinished, would be an everlasting disgrace to England.

SIR JAMES ELPHINSTONE said, that it appeared from the statement of the noble Lord that after spending a million of money they had succeeded in creating a shoal so dangerous that the Government had to apply to lay out a large sum of money in order to raise it above the water, whereby ships might avoid it. He would recommend the Government to buoy it, and leave it as it was. His noble Friend had said that the harbour would be available to small vessels, and from his (Sir James Elphinstone's) experience of the navigation of the Channel, he should say that none but very small vessels would ever venture near the Race of Alderney. He conceived there were few events more remote than a war with France; and as that possibility seemed the only argument for this expenditure, he thought it would be much better to apply this £80,000 to the commencement of a harbour of refuge at Filey Bay, for which the President of the Board of Trade admitted that a good case had been made out. The Government was not always very merciful to contractors; but on this occasion no harshness appeared to have been used towards them. He would like to know, however, why the alteration of the contract had not been brought under the notice of the House? The works at Cherbourg were commenced in 1750, and they were discontinued from time to time whenever there was a pressure on the funds of the French Government. No detriment could occur by letting the works at Alderney lie in abeyance for a few years. He should certainly vote for the reduction of the Vote to nil.

MR. EVANS said, that after a severe gale he and some friends had visited Alderney in a yacht, and found that two vessels had shortly before been wrecked within the harbour itself, so completely that not a vestige was to be seen. Still he did not see how things could be left as they were. He thought the works must be completed, and should therefore support the Vote.

In reply to Mr. BAXTER,

LORD CLARENCE PAGET said, the compensation to the contractors was included in the sum which he had named.

In reply to Mr. W. WILLIAMS,

LORD CLARENCE PAGET said, he thought the works at Portland would be finished next year by a Vote of a very small sum—under £20,000.

SIR MORTON PETO said, that as the pier marked K on the plans was stopped, there was not an engineer with the slightest regard for his character who would say that the works which were to be completed would be of the slightest use. If there was to be a harbour at all, £750,000 more must be expended. The Government had better adopt the suggestion of the hon. Baronet and buoy the place where the *débris* was deposited. The disgrace to the country was that they had ever been such fools as to spend their money at all at Alderney, and they would be greater fools to spend any more money in the same way. There was something like a million of money which the noble Lord admitted was entirely thrown away. ["No, no!"] He understood the noble Lord to say, that unless the Vote under discussion were passed, the harbour would be entirely useless. But, passing from Alderney, he should wish to ask the noble Lord whether it was the intention of the Government to carry the works at Dover further than the foundations were at present laid? He put that question because he was of opinion, that although carried to that extent, they would be of considerable value as a pier, it would serve no good purpose to prosecute them beyond it.

Lord ROBERT MONTAGU said, the noble Lord the Secretary to the Admiralty had stated that the present Government had nothing to do with the harbour at Alderney, for that it was begun by the Government of the Earl of Derby. He (Lord Robert Montagu) denied that. The Earl of Derby's Government had as little do with the matter as the present Government, for the harbour was begun in 1848; and when the fifth extension of the works was proposed in 1858, the Government of the Earl of Derby refused to sanction that extension. If, therefore, the noble Lord opposite and the present Government were ashamed of Alderney, and repudiated it altogether, he (Lord Robert Montagu), on the part of the Opposition, likewise repudiated it.

Lord CLARENCE PAGET said, the noble Lord was mistaken in supposing he meant to convey the idea that the Earl of Derby's Government had commenced the works at Alderney. Those works were commenced about fifteen years ago, and what he had stated was, that the present Government found the harbour there in a certain condition when they came into office, and that one of their earliest acts was to make arrangements with a view of limiting its extent. In answer to his hon. Friend the Member for Finsbury (Sir Morton Peto), he might observe that the expediency of constructing the eastern arm of the breakwater was a point very much in dispute. The Government had, at all events, determined to give up the eastern arm, and the expense of blasting the rock was, however, included in the Vote, which, when completed, would form a great improvement in the harbour. With regard to Dover, a contract had been entered into to construct there a pier of a given length —1,800 feet, and it would, in his opinion, be extremely unadvisable to break that contract, and enter into all the disputes which might follow the adoption of such a course. The works at Dover, he believed he might say, would be completed by November in next year, and would, when finished, be found most useful.

Mr. BAXTER said, he hoped the Committee would have the moral courage to support the Amendment. He had, he confessed, listened with the greatest possible astonishment to the statements which had been made by the noble Lord. The noble Lord had, in the first instance, stated that Alderney harbour had, in his opinion, great merit as a naval station; but it was only two years ago that he had heard the noble Lord observe in that House, with evident dislike as to the position in which he was placed, that he thought Alderney would be of some value as a look-out station. But the noble Lord, with his increased experience of office, had become bolder, and now told the Committee that the harbour would be a great naval station. But in the case of a war with France the harbour would require a garrison of 5,000 men, whom they would not be able to spare for such a purpose. The second assertion made by the noble Lord had, however, surprised him still more than the first. He wished the Committee to suppose that Alderney was of great advantage as a harbour of refuge. That might be so; but if he were correctly informed, the only vessels which ever took advantage of it were the revenue cruisers of the Emperor of the French. The noble Lord, however, spoke of difficulties which would arise between the Government and the contractors if the Committee should refuse to assent to the Vote; but he, for one, had not the slightest sympathy with the engineers or contractors in the case. They had, he believed, in constructing the harbour in question, been simply filching money out of the pockets of the taxpayers of this country, and he thought it was quite time Parliament should take the matter in hand and refuse to grant any more money. His hon. Friend behind him bore testimony to the unsafe state of the harbour. He must remind the hon. Member for Portsmouth (Sir James Elphinstone), who had referred to contracts being sanctioned by that House, that no contracts for the works had ever been laid before them, nor any plan, except the original one, which involved an expenditure of only £600,000. Under these circumstances, he thought that the House would do well to adopt the Amendment of his hon. Friend. Rather than complete the piers, as proposed, he would act upon the suggestion which, he believed, had been made to the Government by an eminent engineer officer, and blow up the works which were likely to prove obstructive to shipping.

Mr. PEEL said, that the question as to the propriety of the Vote did not depend entirely upon the commercial or military value of the harbour, but upon a comparison of the sum voted with the sum asked for. The argument that they were on the eve of the completion of the work, which was used by the Government with effect last year and the year before, must now have additional force. He himself believed that one more Vote after that before the Committee would be sufficient for the completion of the works. The Government had done their best to carry out the wishes expressed by the Committee last year. They had abandoned the construction of the eastern arm; and as they only desired to complete the western breakwater, which would otherwise become a sunken reef dangerous to vessels approaching the harbour, he trusted that the Committee would take the same view of the matter as they had previously adopted, and vote the sum which was asked for.

SIR MORTON PETO said, he was willing to accept the promise of the noble Lord that the pier at Dover should not be extended beyond the length of 1,800 feet. What he had said with regard to the pier marked K was that it would give no protection to the harbour, and that to give security from easterly gales they would have to construct a protecting pier across the harbour, at an expense of £700,000, in addition to the £1,300,000.

VISCOUNT PALMERSTON: Nothing is more easy than to say that a work is of no use and of no value. I can quite understand, that if we were beginning *de novo*, hon. Gentlemen might entertain a different opinion as to whether it was or was not expedient to make a harbour at Alderney. I think it would be expedient; other people may entertain a contrary opinion: but I cannot understand the reasoning upon which hon. Gentlemen ask that, great progress having been made, a harbour having been nearly constructed, and there being the foundation of part of a pier within a certain distance of high water, we should leave things as they are, and make that a source of danger which ought to be a means of safety. It is stated that the harbour is insecure, and that some yachts were damaged in the late storm; but if the pier, the foundations of which have been already carried about to the point D, were raised, that would give the safety which is now wanting. Then it is said that there are rocks in the harbour; but my noble Friend has stated that they are to be blasted, and that will remove that objection. My noble Friend has told the Committee that the naval Lords of the Admiralty who were at Alderney with him, and inspected the harbour, are of opinion that the harbour, when completed, as we propose to complete it, will in case of war be a valuable look-out station. I really do think that under these circumstances it would be trifling with the national interests if the Committee were to determine to refuse the sum which is now asked to complete the harbour, not to the extent originally contemplated, but to the extent fixed last year, and up to point D upon the plan.

SIR JAMES ELPHINSTONE said, that the argument of the Secretary of the Treasury would justify any absurdity under the sun.

MR. LINDSAY said, that although the eastern arm had been abandoned, the Estimate remained the same as last year—£1,300,000. If any hon. Member would look at the Chart, he would see that during a gale of wind from the eastward nothing would hold the shipping in the harbour. It was not £80,000 but £1,000,000 which would be required to make the harbour secure. If hon. Members were prepared to spend that sum, let them vote with the Government; if not, he hoped they would support the Amendment.

LORD CLARENCE PAGET said, that the sum of £1,300,000 was not fixed as that which the harbour would actually cost. He believed, but considering the uncertainty of works in deep water he could not of course affirm, that the expenditure would be considerably less than that, because the Government had knocked off £100,000 for the eastern arm.

Question put,

The Committee *divided*:—Ayes 62; Noes 76: Majority 14.

Original Question put, and *agreed to*.

(2.) Motion made, and Question proposed,

"That a sum, not exceeding £48,339, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for Works and Expenses at the New Packet Harbour and Harbour of Refuge at Holyhead, for Portpatrick Harbour, and for Works at Spurn Point."

SIR HUGH CAIRNS said, he wished to ask for an explanation of the item which had reference to Portpatrick Harbour. He understood it was proposed to Vote this year for the improvement of the harbour the sum of £5,000. Nothing would be more interesting than a Return of the money spent on the harbour during this century. It would startle the Committee if they could see the figures; and, for all the good that has been done, the money might just as well have been dropped into the sea that flowed into the harbour. If the Committee could see the harbour, they would unanimously conclude, that if they were to spend half a million upon it, they could not make it a harbour fit for a vessel worthy the name of a packet ship. What was the item of £5,000 for? Was it part of a larger sum? If so, what was the amount of the larger sum? He had heard rumours of an engagement or undertaking that had been given by the Treasury to expend £25,000 in the course of the next year or two, and he hoped that some explanation would be given. There was a railway to Portpatrick on the one side and to Donaghadee on the other side, and they hoped to see steamers going from one port to the other. He had heard a rumour that a subsidy had been promised for a mail service to carry mails between Scotland and Ireland by way of Portpatrick and Donaghadee, and he wished to know whether the expenditure on account of the harbour had anything to do with a project of that kind, and whether any payment on account of the mails had been promised. At present the mails between Scotland and Ireland were carried between Glasgow, Greenock, and Belfast, by boats, which performed the service well; and they knew what had been expended to improve the communication between England and Ireland. Would it not be better to give up spending money on the harbour of Portpatrick until some definite scheme was proposed by which they might be assured of a useful result?

Mr. W. WILLIAMS said, that about twelve years ago, there was a stop to the expenditure of large sums on Portpatrick harbour, because it was thought perfectly impossible to make anything of it, in consequence of the foundation being solid rock. Was it intended to recommence an expenditure that had been discontinued under such circumstances?

Mr. MILNER GIBSON said, Portpatrick harbour was one of those which, by an act of last Session, was transferred to the Board of Trade. He could not tell how much had been spent on it during the century, but he could say what was going on at that time. So far as he could inform himself by reading the correspondence that related to the works in progress, and for which the Vote was asked, there had been a contract for which the Government to which he had the honour to belong, was not responsible—he took it as it stood, as one that must be performed. It was made in 1856, and the House had sanctioned it by voting the money to give effect to an engagement between the Treasury on the one hand and certain railway companies on the other. The engagement on the part of the Government was that they would make the harbours of Donaghadee and Portpatrick suitable for vessels adapted to carry on a mail service between those ports. The railway companies undertook to bring their lines down to the harbours, and also to establish a mail service; but there was never any promise of what had been called a subsidy for the mail service. All that was undertaken was that a fair and proper remuneration should be given for the actual freight and carriage of such letters as might be sent by the Post Office between Portpatrick and Donaghadee. He believed he was within the mark in stating that something like £700,000 or £800,000 had been spent by these companies in bringing their railways down to these respective ports in pursuance of that agreement, and the Government had also expended considerable sums in carrying out their part of the contract. It was originally suggested that the Government should expend £20,000; but unfortunately it was found that that estimate was not sufficient to complete entirely the deepening of the harbour, and those improvements that were considered necessary for carrying on the mail service. The matter could not be said to be entirely decided between the companies and the Government in reference to the mail service. There had been a reference to the Post Office as to what amount of payment they would be prepared to recommend for the carriage of the letters, and the Vote would be subject to the arrangements that were under consideration, and with the view on the part of the Government that they were bound honestly, and in good faith to those companies, to fulfil their share of the undertaking which had been entered into. Whether it was a provident or improvident contract, it was not for him to say; he found it in existence; he found the companies had so far carried out their portion of the engagement; and the precise condition of the remainder of it on the part of the Government, in consequence of the reference to the Post Office, was under consideration. It was not to be supposed that any new matter had been introduced;

the Committee must not imagine that anything was now proposed by the Government except in continuation of what had been already begun, and in fulfilment of those engagements that were undertaken in the year 1856.

Sir HUGH CAIRNS said, that after the explanation given by the right hon. Gentleman, the subject assumed a magnitude and a grandeur which he had not anticipated. The right hon. Gentleman said that the Committee was bound by a contract which was communicated to the House some years ago, and that the Government were doing nothing more than carrying it into effect. What was the contract? If Parliament were bound hand and foot, they ought at least to know the nature of their engagements. The right hon. Gentleman did not presume to say that there was any writing to which they could appeal.

Mr. MILNER GIBSON could not recite from memory the words of the instrument or document which embodied the contract, but it had been laid on the table of the House, he believed, more than once. The full particulars of the engagement under which the money was originally voted had been laid on the table of the House, and it was competent for the hon. and learned Gentleman to refer to that instrument.

Sir HUGH CAIRNS said, that the right hon. Gentleman spoke of an "instrument." What was the instrument? The only thing, so far as he was aware, which had ever been laid before the House, was an Estimate of £20.000 for contemplated improvements in Portpatrick harbour.

Mr. MILNER GIBSON said, he wished to explain. Perhaps "instrument" was a wrong word to use. But the correspondence constituting the engagement or agreement between the companies and the Government, under which the original Votes were asked, had been laid on the table of the House over and over again.

Sir HUGH CAIRNS said, the contract referred to was growing rather vague in its terms. It had ceased to be an "instrument," and had become "an engagement, an agreement, or a correspondence." Whatever its nature might have been, the Government were only pledged to an expenditure of £20,000, and that sum, with the exception of £1,000, had already been laid out; and he ventured to say that the improvement of Portpatrick harbour was not the least nearer completion than it was before. If the Vote was approved of by the Committee, they would be bound perpetually to the expenditure. They were told that the effect of the agreement entered into was this—that the Government had agreed with the railway companies to make Portpatrick harbour available for mail vessels carrying the mail service between Portpatrick and Donaghadee. He ventured to say, upon his own opinion and his own knowledge of the district, that it was not £5,000, £20,000, or £200,000 that would secure the result desired. But they had heard something more. He had asked if they were under any agreement with regard to the letters and mails; and the President of the Board of Trade had replied that there was no positive contract for the conveyance of the mails, but there had been an agreement to remunerate the companies for carrying letters. Would some Member of the Government be good enough to explain the difference? The item of £5,000 was stated to form portion of the general arrangement which had been referred to the consideration of the postal authorities. Surely it was not unreasonable to suggest, that until the House had the entire subject before it, the money ought to be withheld. He was quite prepared to vote £1,000, being the balance of the £20,000 formerly sanctioned; but, for the reasons he had given, he would move the reduction of the Vote by the sum of £5,000.

Motion made, and Question proposed,

"That a sum, not exceeding £43,339, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for Works and Expenses at the New Packet Harbour and Harbour of Refuge at Holyhead, for Portpatrick Harbour, and for Works at Spurn Point."

Mr. COX said, his official duties frequently called him over to the north of Ireland, and all the information he had gathered led him to support the view taken by the hon. and learned Member for Belfast. He thought, however, that it was necessary that they should know what was the amount the Government proposed to expend upon the harbour at Portpatrick, because he was free to admit that he concurred with the right hon. Gentleman the President of the Board of Trade in thinking, that when contracts were entered into by one Government, they ought honestly to be carried out by another. He congratulated the President of the Board of Trade upon the change which had taken place in his opinion since the recent discussion on a contract entered into by the predecessors in office of the existing Administration. He quite concurred that they ought to supply, by a Vote of that House, the money for the performance of any contract which had been heretofore made; and as it only required £1,000 to do that, he should vote for the Amendment of the hon. Member for Belfast. As to Portpatrick harbour, it was useless to throw away money upon what residents in the locality believed to be an impossibility; for, according to them, no vessel could leave Portpatrick harbour during three months of every year. There was already a perfectly successful connection between Larne and Stranraer, which rendered the Portpatrick and Donaghadee route wholly unnecessary.

Mr. MACKIE said, that it was the original intention of the railway company to have a route from Stranraer to Larne, and that the other route was adopted only because the Government insisted on it. At that moment Portpatrick harbour was unfit for the accommodation of first-class steamers. A manifest injustice would obviously be done to the railway company if, after having been compelled, at great expense, to go to Portpatrick, the Government failed to put the harbour in a proper condition for traffic.

Mr. DAWSON said, that probably no hon. Member in the House was better acquainted with the locality than himself; and the real truth was, that notwithstanding the admirable way in which the President of the Board of Trade stood up for existing contracts, the proposed Vote was a downright useless expenditure of money. He thought it was the duty of every Member, notwithstanding that the expenditure might prove useful to his particular locality, to protest against such waste of the public money. The route which had been referred to by the hon. Member for Finsbury (Mr. Cox) was far better; and although it was being carried on under struggling circumstances, there was no doubt it would ultimately be successful and meet the general convenience.

Sir JOHN HAY said, that as a naval man, an inhabitant of the district, and with some knowledge of Portpatrick harbour, he differed considerably from the last speaker. For a considerable time steamers ran all the year round from Portpatrick to Donaghadee, and they were taken off not because the harbour was a bad one, but for other reasons; for instance, that the steam traffic was not supplied sufficiently with railway traffic to make it available for postal communication with Ireland. At very great trouble and expense a railway had been constructed there. The Government compelled the company to continue the railway from Stranraer to Portpatrick, at an expense of £70,000 or £80,000, which they would never have entered into unless the Government had promised that they would accommodate them with a harbour fit for traffic. He should certainly support the Vote.

Sir MORTON PETO said, it was evident a contract in good faith had been entered into, and they were bound to see it carried out. If the President of the Board of Trade would undertake to say that the work would be satisfactorily completed for the amount proposed, and the House would not be asked for a further Vote, he would support the proposal.

Mr. MILNER GIBSON said, it was quite a misapprehension to suppose that the Government were entering on a large and indefinite expenditure — £200,000 or £500,000 — in connection with the proposed object. According to the engineer's report, the sum of £10,000 at the outside would be sufficient to complete all that it was necessary for Government to do in order to fulfil their engagement. After carefully examining the correspondence on the subject, he had come to the conclusion that the Government would not be acting in good faith if they did not ask Parliament for a further sum for the improvement of Portpatrick harbour. For the present, £5,000 was proposed; and he believed a small addition would render the harbour capable of accommodating steamers. If the Committee refused to vote any more money, then all the expenditure which had already been incurred would be thrown away.

Mr. KINNAIRD said, he would support the Government, upon the distinct understanding that the expenditure should not exceed £5,000 during the present year, and £5,000 next year.

Sir HUGH CAIRNS observed, that the vessels which had formerly used Portpatrick harbour were no better than the worst of the Thames steamers. At that moment that harbour was not in such a condition that passengers could go that way. The distance from Stranraer to

Portpatrick was only seven or eight miles, and it would be infinitely cheaper to pay every shilling of the outlay on the line between these two places, than to attempt to improve Portpatrick harbour. If there was a contract, he should be the last man to ask the Government to depart from it; but where was it to be found? He could not help again asking the question what the contract with the Government really was? Would the Government produce it? Where was the estimate of the sum required to give effect to the contract? The President of the Board of Trade said, that the amount was "something like £10,000." He knew what £5,000 meant, and £10,000; but what "something like £10,000" was, he could not guess. He was glad to find that the Government had improved within the last few days in their opinion of the advisability of adhering to contracts. Well, if there were a contract, let the Committee see it; but until then let them put a stop to the expenditure by postponing the Vote.

MR. DAWSON said, that the Government had shown no sensitiveness or squeamishness in doing away with the Dover contract, and he was therefore surprised that they should lay so much stress on the existence of a contract in the case under consideration.

MR. HASSARD said, that the route from Portpatrick to Donaghadee was one of the best routes between England and Ireland; and he trusted that no money necessary for maintaining the service would be denied.

MR. W. WILLIAMS said, he would again remind the Committee that an enormous amount of public money had been expended on the harbour of Portpatrick.

SIR HERVEY BRUCE said, he felt compelled to differ from his hon. and learned Friend (Sir H. Cairns). He should support the Vote, not on the ground of a contract alone, but because the route between Portpatrick and Donaghadee was the most convenient route between this country and Ireland.

MR. HARVEY LEWIS said, he would support the vote as proposed by the Government, on the ground of the absolute necessity of upholding the public faith in all cases of contract.

LORD JOHN MANNERS said, he fully agreed, that if a contract existed, the Government were bound to sustain it. But was there or was there not a contract? The right hon. Gentleman the President of the Board of Trade had given two or three explanations to the Committee. He said he had read the whole of the correspondence, and that the Government were bound to vote the money. Would the right hon. Gentleman state whether the Government were bound to go on expending a definite or indefinite sum on the harbour, and whether their obligations would be fulfilled by the expenditure of £20,000, which had already taken place? If the engagement, whatever it was, had been fulfilled, he should feel at perfect liberty to reject the Vote.

MR. LAIRD said, that he wished to know whether the contract was to spend £10,000 to encourage the railways, or was it to make a harbour that would be accessible to vessels of such a size as would be able to carry on a passenger traffic. If the latter, he thought £200,000 would be nearer the real cost.

MR. COX said, he considered that the Committee ought to know what the contract was. From what he had seen of the port, and from what he was informed, he believed the cost would certainly be nearer £200,000 than £10,000.

MR. MILNER GIBSON said, that perhaps he had been in error in using the term contract, which implied a legal instrument; but there was such a thing as an engagement. He found there was a Treasury Minute of July 26, 1858, during the Government of the Earl of Derby, which, referring to a Minute of the preceding Government undertaking to effect certain improvements in the ports, so as to render them suitable for the packet service, upon the faith of which undertaking the railway companies had expended certain sums, confirmed the preceding Minute. The Vote was simply intended honourably to carry out and complete that engagement.

SIR HUGH CAIRNS said, he thought it was right, in matters of the sort, that the Committee should leave out of sight whether the contract or engagement was entered into by one Government or by another. The right hon. Gentleman had at last given the information that was desired. He would only remark that the contract was so undefined that he hoped in future some more definite arrangements would be entered into, and that the Government would not, year after year, be able to appeal to the Minute as sanctioning a Vote of £10,000 or £20,000 as necessary to keep faith. He admitted that by that Minute they were bound to assent to the Vote, and therefore would withdraw his Amendment.

Motion, by leave, *withdrawn.*

Original Question again proposed.

Mr. AUGUSTUS SMITH said, he objected to the Vote of £1,000 for Spurn Point.

Mr. PEEL said, it was only a re-Vote.

Mr. AUGUSTUS SMITH said, he thought that the owners of the shores, who derived benefit from the works, ought to defray the cost, and therefore he should move to reduce the Vote by £1,000.

Motion made, and Question proposed,

"That a sum, not exceeding £47,339, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for Works and Expenses at the New Packet Harbour and Harbour of Refuge at Holyhead, for Portpatrick Harbour, and for Works at Spurn Point."

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(3.) Motion made, and Question proposed,

"That a sum, not exceeding £89,618, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for Erecting, Repairing, and Maintaining the several Public Buildings in the Department of the Commissioners of Public Works in Ireland."

Mr. W. WILLIAMS objected to the form in which the Vote was submitted to the Committee.

Mr. SCULLY said, he wished to call attention to a few of the items in connection with Dublin Castle. A very liberal salary was granted to the satrap or proconsul, who was acceptable, no doubt, to the citizens and hon. Members for Dublin, though not very acceptable to the people of the provinces. Any hon. Member who should say that the Lord Lieutenant was not the greatest ornament of Ireland would expose himself to all sorts of misrepresentation from the Dublin newspapers, as he himself did once when he placed on the paper merely a notice for inquiry into the utility of the Lord Lieutenant. There were more patronage, more pickings, more corruption of every sort, and more absolute authority in the officials of Dublin Castle than the Queen herself possessed. The first item to which he would call attention was—for general repairs and alterations in the state rooms, public offices, and official residences in Dublin Castle, £3,686; and for furniture and fittings, £2,619; in all £6,305; and at page 34 were items of a similar description for the Phœnix Park residences of the same officials—the Lord Lieutenant, the Chief Secretary, and the Under Secretary, all Englishmen; some of those official paupers forced upon Ireland and sustained at the expense of the State; men of great wealth, no doubt, but who had come over to quarter themselves upon the Irish establishments. Well, repairs, alterations, furniture, and fittings for the Phœnix Park residences of those gentlemen were set down at £5,646, in addition to the £6,305 for Dublin Castle; making in all nearly £12,000. Then there was another item for the Phœnix Park itself, which was their playground, where they played cricket and croquet; in which they spent most of their time. In short, the entire Vote amounted almost to £20,000, which no doubt would meet with the entire approval of the hon. Member for Dublin.

Mr. VANCE said, though he had the honour of representing Dublin, he had nothing to do with the Castle, the politics of its present occupants being very different from his. However, it was an Irish institution, and he thought it his duty to defend it. The observations of the hon. Member would have been much more to the purpose had they been applied to the Votes for the parks, palaces, and buildings of this metropolis, instead of to the trifling sum asked for the Castle and park of Dublin.

Mr. PEEL explained that the estimate might be framed in two ways; either the cost for buildings might be brought under view of the Committee at one time, or might be distributed among all the various services. The plan by which the Committee could see the total cost at once was the better.

Mr. HENNESSY said, there was an item of £3,000 for rebuilding a portion of Queen's College, Cork, which had been burnt down. He wished to know whether the Chief Secretary for Ireland had any reason to suppose that the burning was accidental or by design; and, if the latter, what steps had been taken to punish the miscreant who had committed the outrage.

Sir ROBERT PEEL said, the Government, having had strong reasons to suppose that it was an act of an incendiary, had taken steps to discover him, but had not been successful, as his hon. Friend was aware. The Vote was merely to repair the damage, and he thought it moderate.

Mr. MAGUIRE said, it had been represented that the college had been burned by persons who objected to the teaching there, but a more unfounded charge was never made against a community than that which was involved in the application made to the corporation of Cork by the Government to levy on the citizens the cost of the burning. The charge against the citizens of Cork was most unfounded and wanton. He had no objection that the burden should fall on the country generally.

MR. PEEL said, he must altogether deny that any charge of complicity had been brought against the citizens of Cork. Proceedings had been taken against the corporation for the recovery of the amount of damage done, but they had failed, and the only resort was then to come to Parliament.

MR. MAGUIRE said, the charge had been disseminated all over Europe, and he most emphatically repudiated it.

MR. HENNESSY said, he had visited the ruins, when he was told by a Professor that the very man who set fire to the college was discharging his official duties on the spot. He hoped all the information in possession of the right hon. Gentleman would be given to the House, as he understood that some of the Professors had transmitted some very interesting reports on the subject.

MR. VANCE said, he wished to know when the works in the Queen's Park, for which £8,400 was to be taken, would be proceeded with?

SIR ROBERT PEEL said, the works had been already commenced.

MR. LYGON inquired, how the Vote of £41,000 proposed for twenty-six new Coastguard stations in Ireland was to be expended? Three stations had been completed for £1,000, and he thought there was some discrepancy in the sum to be allotted for the remainder.

MR. PEEL said, the greater part of the sum proposed was a re-Vote of what had taken place last year, but returned as unexpended. It was absolutely necessary to provide improved accommodation for the Coastguard on the coast of Ireland. On thirteen stations contracts had been entered into for six cottages at each. The work was expensive—the sites being very much out of the way.

MR. SCULLY said, he wanted some detailed explanation of the charge of £12,900 for a constabulary depôt at Phœnix Park, of which it was proposed to vote £6,000 on account. He thought there was already sufficient accommodation for the constables stationed there. Was the force to be doubled, or was a military barrack to be erected for the constabulary? There was also an item of £2,000 for a model school at Cork to which he objected. The Votes for model schools in Ireland were intended to carry out English hobbies. The mass of the Irish people objected to those institutions, which were mere nests of proselytism.

SIR ROBERT PEEL said, that Phœnix Park was the central depôt of the constabulary, and there had been great complaints for years past of the very inadequate accommodation existing there for that force.

MR. CORRY said, he wished to ask what Department of the Government was responsible for the expenditure upon buildings for the Coastguard in Ireland?

MR. PEEL: The Board of Works.

MR. MORE O'FERRALL condemned the model schools in Ireland for teaching farming as perfectly useless, and characterized the expenditure upon them as a wanton waste of public money.

SIR JOHN SHELLEY said, he understood that the model schools were mere jobs, and of no benefit whatever to the agriculture of Ireland.

SIR ROBERT PEEL said, that the Vote for these institutions had been reduced by the sum of £700, in accordance with a pledge given last year; and next year it would undergo further reduction. At the same time, the schools were intimately connected with the national system of education in Ireland, and did a great deal of good in Dublin, Belfast, and other large towns, by bringing together and training young people of all sects.

MR. MORE O'FERRALL said, he denied that the model schools were any part of the national system of education; they were an after-growth and a great abuse.

MR. MONSELL said, he objected to the items for additions and alterations in the agricultural schools, which he could state, from his own experience of their working, conferred no benefit of any kind upon the country. The farming practised in them was carried on in the most expensive way, and was no example whatever to anybody outside of them.

SIR ROBERT PEEL said, he could only reiterate his belief that the schools had done, and were doing, a great amount of good among the poorer classes. At the same time, if hon. Gentlemen insisted that the Vote should be cut down, of course they might be gratified.

Mr. BAGWELL thought it would be a pity to abolish these institutions, which had done some good already, and might be expected to do much more. The model farms were admirably managed, and the young men educated on them made very excellent stewards.

Mr. SEYMOUR FITZGERALD said, he had no wish to oppose the existing model schools, but he objected to any extension of the system ; and he thought they might strike out the item for a new model school at Cork. The schools did little good beyond educating stewards and bailiffs for gentlemen.

Mr. BUTT said, he wished to ask whether any obligations had been incurred with respect to the school in question ?

Sir ROBERT PEEL said, the land had been purchased. It was not, strictly speaking, a new school, but one projected some years ago.

Mr. MAGUIRE said, it was the revival of a proposal which the people of Cork compelled the Government to abandon in a former year. He would not vote against the agricultural schools, although it was little to say in their favour that they produced stewards for landowners, and although he thought that a system which taught high farming was rather injurious than otherwise to the country. Still, if these schools really did any kind of service, he should be jealous of having them interfered with. As, however, the Government were trying to force the model school at Cork on the district in opposition to the wishes of the inhabitants, he would move that the Vote should be reduced by £3,000, the amount proposed to be taken for that building.

Mr. SCULLY said, that as a Member for the County of Cork, he had great pleasure in seconding the Motion of the Mayor of the City of Cork. It was a mistake to suppose that this and similar Votes to which reference had been made were Irish Votes. They were English hobbies. The model school at Dublin was neither more nor less than a nest for a Scotch family.

Motion made, and Question proposed,

"That a sum, not exceeding £86,618, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for Erecting, Repairing, and Maintaining the several Public Buildings in the Department of the Commissioners of Public Works in Ireland."

Sir Robert Peel

Sir HUGH CAIRNS thought that by reducing the Vote for agricultural schools to the extent of £700 the Chief Secretary had fairly carried out his promise of last Session. With respect to the model schools, the opinion in the North of Ireland was that they were of incalculable benefit. They were regarded, in fact, as among the best parts of the national system of education.

Question put.

The Committee *divided :* — Ayes 19 ; Noes 84 : Majority 65.

Mr. HENNESSY said, that the proposed Vote was to carry out an attempt to force money upon the South of Ireland against the wishes of the people, and he regretted to see hon. and right hon. Friends of his who in England supported religious education now voting to establish in Ireland purely secular schools.

Original Question put, and *agreed to.*

House *resumed.*

Resolution to be reported on *Monday* next ; Committee to sit again on *Monday* next.

DRAINAGE AND IMPROVEMENT OF LAND (IRELAND) BILL—[Bill 106.]

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

Mr. HENLEY said, he could not but express his regret that the Secretary for Ireland had struck out of the Bill in the 58th section that which, at all events, was a little approach to justice to the Irish tenants. If any English county Member were to tax English tenants in the way in which the Bill taxed Irish tenants, he would not be able to show his face in his county afterwards. As the Bill was brought in, the power of referring to arbitration the amount of extra rent to be paid in respect of improvements was granted to the Irish tenants ; but as the Bill stood, the Commissioners of Works in Ireland were to have the power of imposing taxation to which the tenants gave no consent. There could be no respect for the laws, if they were made in that way.

Mr. HENNESSY said, he would move that the Bill be re-committed, in order to reinsert the word "arbitrators" wherever it had been struck out.

Amendment proposed, to leave out from the word "be" to the end of the Question, in order to add the word "re-committed,"—(*Mr. Hennessy,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. PEEL said, that the substitution of the Commissioners of Works for arbitrators was made at the suggestion of many hon. Gentlemen, who pointed out that the powers given to arbitrators nominated by the Board of Works were too extensive, and they therefore thought that those powers should be executed by the Commissioners of Public Works instead. The powers were no greater than had hitherto been exercised under the Drainage Act.

MR. HENLEY observed, that the question referred, not to the proprietors, who were taken care of in every letter and corner of the Bill, but to the tenants, whose consent was not required to any part of the proposed improvements. It was a semblance of justice to those men that there should be an arbitration, because by that means they could have been heard; but there was no provision that they should be heard by the Commissioners.

MR. MORE O'FERRALL said, it would be an injustice to tenants to tax them for improvements to which they did not give their consent; and he thought that if the Bill were adjourned for a day or two, many useful alterations might be suggested.

THE O'DONOGHUE said, he was of opinion that the insertion of the word "arbitrators" would make no practical difference to the tenants, because they were mostly tenants at will, and would consent to any condition proposed by their landlords.

MR. BUTT said, he wished to point out that the Commissioners would act exactly as the arbitrators would have acted.

MR. MONSELL said, he thought that the Bill should be reprinted, so that the House might have an opportunity, before the third reading, of considering the effect of the change which had been made.

MR. WHALLEY said, he thought the Bill might be allowed to pass without further delay. The assessment under the tithe commutation was made without the interference or assent of the tenant, and he had never heard of a tenant complaining.

MR. BAGWELL said, he was sorry such an Amendment had been made in the Bill as that of doing away with the power of appointing arbitrators; but as the Irish Members did not attend in their places, the Government could not be blamed for doing what they thought was best for Ireland; still, he thought, there ought to be an appeal.

MR. PEEL said, that the language of the Bill gave plenty of protection to the tenant, and afforded him ample opportunity of stating his own case. Still, he would make no objection to the postponement of the Bill, if it were desired.

MR. SCULLY said, he must protest against the manner in which Irish legislation was conducted, and complained of the small respect which was paid to the opinions of Irish Members. [*Cries of* "Agreed, agreed!"] English Members, who were discussing English matters of importance, were never interrupted by such unseemly cries.

Debate *adjourned* till *Monday* next.

CAYMAN ISLANDS BILL (*Lords*).

[BILL 132.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

MR. HUNT would confess his ignorance of the subject, and he wished to ask for some explanation of the purposes for which the Bill had been introduced.

MR. CHICHESTER FORTESCUE said, the Bill was intended to do justice, and not injustice to the inhabitants of those islands. The islands were a small group of islands near Jamaica, and dependencies of Jamaica. The Great Cayman was an island twelve miles long and three broad, and the population was about 2,000. The Bill had been drawn up upon the petition of the inhabitants, and would give great satisfaction to them, as it would give legality to the mode of government, which hitherto had been very imperfect.

House *resumed.*

Bill *reported,* with Amendments; as amended, to be considered on *Monday* next.

OFFENCES (SOUTH AFRICA) BILL (*Lords*).

[BILL 113.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

MR. ADDERLEY said, he should move that the Chairman report progress.

Mr. CHILDERS said, he hoped some arrangement would be made by the Government for the Bill to come on at a more convenient hour.

Mr. CHICHESTER FORTESCUE observed, that he had expected that the Bill would have been allowed to pass that stage. It had already passed through Committee, and for the purpose of a special Amendment had been re-committed, in deference to the wish of the right hon. Gentleman.

Mr. ADDERLEY said, he was perfectly willing to go on with the discussion. The hon. Member for Taunton had given notice of an Amendment on the first clause; but as the Bill was not expected to come on until Monday, was not present.

Mr. CHICHESTER FORTESCUE said, the hon. Member for Taunton had raised the question already.

Mr. HENNESSY moved that the Chairman report progress.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."

The Committee *divided:* — Ayes 30; Noes 40: Majority 10.

Sir BROOKE BRIDGES said, he thought that at that late hour of the night (twenty minutes past one) it would be unreasonable to press the Bill. He should therefore move that the Chairman leave the chair.

Mr. CHICHESTER FORTESCUE said, he did not wish to prolong the contest, but protested against its being deemed unreasonable that he should seek to proceed with the Bill.

Amendment, by leave, *withdrawn.*

House *resumed.*

Committee report Progress; to sit again on *Thursday* next.

RELIGIOUS ENDOWMENTS (IRELAND).

ADJOURNED DEBATE.

Order for resuming Adjourned Debate on Amendment (*Mr. H. Seymour*) proposed to Question (*Mr. Dillwyn*) [19th May] read.

The O'DONOGHUE expressed a hope, that as the discussion could not be taken at that late hour, the noble Lord at the head of the Government would consent to name a day when it might take place. The question was, he added, considered by the great majority of the Irish people of more importance than any measure which had been introduced into that House for years.

Viscount PALMERSTON said, that the hon. Member for Liskeard (Mr. Bernal Osborne) had already given notice that it was his intention to bring the question of religious endowments in Ireland under the notice of the House on an early day. The adjourned debate on the hon. Member for Swansea's Motion might be fixed for that day.

Mr. COGAN remarked, that the hon. Member for Liskeard had not fixed any particular day for bringing forward his Motion. At the same time, he could bear testimony to the great interest felt in Ireland on the subject.

Mr. VANCE said, that whatever interest the Irish people might have felt in it in times gone by, they had exhibited very little of late years. He should move that the debate be adjourned to that day three months.

Motion made, and Question proposed, "That the Debate be further adjourned till this day three months."

Mr. MAGUIRE observed, if the people of Ireland had recently exhibited little interest in the subject, it was because of the great sufferings which they had experienced for the last two or three years, and which engrossed their thoughts for the moment, to the exclusion of other matters.

Sir HUGH CAIRNS pointed out that it would be no use to adjourn the discussion for three months, because the question would be raised in another form upon the Motion of the hon. Member for Liskeard. He therefore recommended the hon. Member for Dublin not to press his Amendment.

Mr. DILLWYN said, he found it impossible to get a day for the subject, which, as a member of the Church of England, he had brought forward on his own responsibility. He hoped the noble Lord at the head of the Government would give him a day.

Viscount PALMERSTON said, that the days at the disposal of the Government were few in number; and, important though the question was, he could not, at that period of the Session, promise the hon. Member for Swansea to give him a day for its discussion. At the same time, he trusted that the hon. Member would not persevere in his Motion to postpone the discussion for so long a period as three months.

MR. MORE O'FERRALL observed, that there had been a time when the noble Lord and his friends in Opposition experienced no difficulty in finding a day for the discussion of this question which had raised them to power. They now kicked away the ladder by which they had mounted.

MR. VANCE said, he would be glad to withdraw his Motion if any reasonable day were fixed for the discussion.

Motion, by leave, *withdrawn.*

Debate *further adjourned* till *Tuesday* next.

PUBLIC WORKS (MANUFACTURING DISTRICTS).—LEAVE.

MR. C. P. VILLIERS rose to move for leave to bring in a Bill to facilitate the execution of public work in certain manufacturing districts, and to authorize for that purpose advances of public money, to a limited amount, upon security of local rates. The right hon. Gentleman said that at that late hour he would not attempt to detain the House by any description of the measure, but would merely move for leave.

Motion made, and Question proposed.

MR. FERRAND objected to the silent introduction of a Bill of such magnitude at that hour of the morning. It would enable the whole of England to be taxed for the benefit of a small portion of the country.

MR. HIBBERT said, he did not see why leave should not be given to introduce the Bill.

LORD EDWARD HOWARD thought it very important that the Bill should be introduced, and its contents made known with as little delay as possible.

MR. C. P. VILLIERS said, the hon. Gentleman opposite misapprehended the character of the Bill. It contained nothing that was not disclosed in the notice.

MR. FERRAND hoped the right hon. Gentleman would not object to state the amount of interest to be paid on the capital borrowed under the Bill.

MR. C. P. VILLIERS said the amount would be found in the Bill itself.

MR. FERRAND could not regard that as a satisfactory answer. If a more intelligible reply were not given, he should divide the House.

MR. C. P. VILLIERS said, the rate of interest would altogether be governed by the regulations of the Exchequer Commissioners.

MR. FERRAND did not see why the Government should shrink from answering this plain question.

MR. C. P. VILLIERS said, the Exchequer Loan Commissioners were not allowed to lend money lower than 3½ per cent.

MR. FERRAND: I am satisfied.

On Motion that Mr. C. P. VILLIERS and Mr. CHANCELLOR of the EXCHEQUER do prepare and bring in the Bill,

MR. HENNESSY rose to address the House; when—

MR. SPEAKER: The hon. and learned Gentleman is not in order in raising any general discussion on the Bill on the present Motion.

Motion *agreed to.*

Bill to facilitate the execution of Public Works in certain Manufacturing Districts; to authorize, for that purpose, advances of Public Money, to a limited amount, upon security of Local Rates; and, to shorten the period for the adoption of the Local Government Act, 1848, in certain cases, *ordered* to be brought in by Mr. VILLIERS and Mr. CHANCELLOR of the EXCHEQUER.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at half after Two o'clock till Monday next.

HOUSE OF LORDS,

Monday, June 8, 1863.

MINUTES.]—PUBLIC BILLS—*First Reading*—Suitors Conciliation * (No. 120).

Second Reading—Prison Ministers (No. 109); Thames Embankment (North Side) * (No. 107); Salmon Fisheries (Scotland) Act Continuance * (No. 112).

Committee—Bakehouses Regulation* (Nos. 85 and 122).

Royal Assent—Customs and Inland Revenue [26 & 27 *Vict.*, c. 22];
Hares (Ireland) [26 & 27 *Vict.*, c. 19];
Elections during Recess [26 & 27 *Vict.*, c. 20];
Illegitimate Children (Ireland) [26 & 27 *Vict.*, c. 21];
Drainage of Land (Ireland) [26 & 27 *Vict.*, c. 26];
Marriages, &c. (Ireland) [26 & 27 *Vict.*, c. 27];
New Zealand Boundaries [26 & 27 *Vict.*, c. 23];
Corrupt Practices at Elections [26 & 27 *Vict.*, c. 29];
Savings Banks Monies [26 & 27 *Vict.*, c. 25];
Vice Admiralty Courts [26 & 27 *Vict.*, c. 24];
Stock Certificates to Bearer [26 & 27 *Vict.*, c. 28].

POLAND.—QUESTION.

The Earl of ELLENBOROUGH: My Lords, I rise to ask the noble Earl the Secretary of State for Foreign Affairs, Whether there has been such progress in the negotiations as to afford a reasonable hope of a satisfactory settlement of the affairs of Poland? I do not think the question can be considered premature. The insurrection in Poland, which the Emperor ordered the authorities of the country to to put down in ten days, has existed for four months and a half; and, according to the last accounts, it was rapidly extending itself to various distant points in the ancient provinces that belonged to Poland before 1772. While diplomatists are writing and consulting, plunder, massacre, and incendiarism are extending through the whole country. My Lords, this is not an ordinary case of diplomacy. Generally, diplomacy originates with the Governments which conduct it; but, in this instance, I think it may be considered to have originated with the nations which those Governments represent; for in all parts of the world, except perhaps in Prussia, deep sympathy has been expressed for Poland. When, some years ago, the diplomatic intervention which preceded the Crimean war was undertaken, that diplomacy proceeded from statesmen who had in view not a distant but a coming danger, and endeavoured to avert that danger by diplomatic arrangement; but the evil with which diplomacy now deals is a present, existing evil, which has existed for more than thirty years, and has been increasing in intensity until it has arrived at a degree of enormity which has compelled the people of Poland to rise in arms, and makes it impossible for the people of Europe to view their condition with indifference. This is a question of humanity. From one end of the Kingdom of Poland to the other, war is carried on with a degree of atrocity unknown in ordinary warfare. It is a question of justice—because the Poles have never had the constitution which was promised to them. It is more than that, it is a question of policy affecting not only Russia, but affecting every state in Europe. It is impossible that insurrection can continue in Poland without exciting an insurrectionary feeling among the turbulent spirits of every State in Europe. For now 160 years Russia has been endeavouring to establish her power in Europe—to secure to herself an entrance into Europe. That entrance into Europe is, at this moment, denied to her. While Poland remains as she is, or even as she has been for several years, it will be impossible for Russia to move an army into Europe. She would require more than 100,000 men to protect her communications, and the longer this state of things remains in Poland, the greater will become the difficulties of Russia. Depend upon it, that wherever any part of the Russian Empire presents a weakness, it will be discovered by those who are anxious to take advantage of any opportunity that may be afforded for acting against her. Circassia will be responsive to Poland, and everywhere there will be a material alteration in that position of strength which I confess, for my part, I am desirous that Russia should maintain. When the Powers assembled at the Congress of Vienna, they participated in the general feeling of distrust and apprehension of Russia. Things were then somewhat different from what they are now. In France, the ancient monarchy had been restored; France had suffered great losses; her frontiers had been thrown back to their ancient limits; she was deemed to be in a state of abeyance, and no injury or encroachment was apprehended from that quarter. In Belgium, and on the Rhine, and in Italy, what were then deemed securities had been taken against France. The great danger seemed to be on the side of Russia. Russia had performed great services for Europe, but she stood in her strength, and certainly evinced a disposition to use that strength in a manner that threatened the independence and security of other States. With those feelings, this country desired, in connection with Austria and Prussia, to establish in Poland a state of things which, unfortunately, they did not succeed in bringing about. They desired to establish in Poland an independent kingdom. Russia insisted on uniting the Kingdom of Poland to herself. I confess, that even at the present time, if I could see the map of Europe arranged as I should most desire, I should rejoice to see the re-establishment of the Kingdom of Poland in all its integrity, and within the ancient limits, but under a better Government and with an hereditary monarchy; but I know how visionary is my hope of seeing that great act of moral retribution accomplished. I cannot be insensible to the changes that have taken place in Europe. We have seen a change of dynasty in France; we have seen her great increase of strength, and we have seen that strength used with great effect in Europe. We have seen other material changes in the distribution of power and of territory as established in 1815. Having regard to those events, I do not think it would be expedient to take any measures which would permanently deprive Russia of her power of interfering, and I hope usefully interfering, for the maintenance of a Conservative policy in Europe. We cannot now preserve the balance of power in Europe without the intervention of Russia. It is upon that account, that, as a friend of Russia as well as a friend of Poland, I do earnestly desire to see an end put to the state of things which now exists. When the Congress of Vienna imposed on Russia the duty of giving a representative national constitution to Poland, she imposed on her a condition which, in the political position of Russia, it was impossible for her to perform. I say impossible; because I hold it to be impossible to give a really good Government, of a constitutional form, to a country of which the sovereign is a foreign despot of enormous power, educated in the practice of despotism, and ready on all occasions to exercise his despotic authority, and throw the sword of Brennus into the scale to turn it in his favour. There was and still is that difficulty, which it is impossible to overcome, and which must at all times make it impossible to establish a really good Government in Poland under a despotic foreign Sovereign, capable of using on all occasions his arbitrary power. My Lords, a constitutional Government can only exist with benefit to the people where there is mutual confidence between the Sovereign and the people, and where there are mutual interests, where there is a mutual desire to support the constitution, and where, above all, the Sovereign is attached to his people, and depends on them for his position. All these circumstances are wanting in the case of Russia. Even were she so disposed, the difficulties which she has to encounter it would be impossible for her to overcome. But, my Lords, there never has been any attempt to overcome those difficulties. We are told in the papers which have been laid on the table of the House, that up to 1831 no attempt had been made to give that constitution to Poland which she had a right to, in accordance with the Treaty of Vienna. We know what has taken place since. We know that there has been no security either for property or for person. Nothing could be more cruel and exhaustive than the conscription. Every man must have felt that his family, his life, and his property, depended on the will of a despot; and it was utterly impossible for the country to prosper or to be contented. That was the case before the last instance of violent despotism—which the noble Earl the Foreign Secretary properly called a "proscription"—was perpetrated by Russia. That proscription came on the people of Poland as one of the plagues of Egypt, destroying in one night the firstborn in every family. It created a deep chasm between the people and the Sovereign, which it was impossible ever to pass. It destroyed all confidence, all possibility of ever trusting the word of the Sovereign, who had violated his obligations. If the Emperor puts forth his hand, and offers it to the people of Poland, how can they take it? There is blood upon that hand. It is the blood of the people of Poland, of the families of those to whom he offers it—blood shed in the perpetration of an iniquity which has no parallel in Europe. My Lords, I can come to no other conclusion than this:—That to attempt to give good Government to the people of Poland while the Emperor of Russia directly exercises authority in that country is a thing impossible, and that there are no guarantees—of which the noble Earl spoke some time ago—which could secure it. It is a thing impossible, and therefore it is a thing which no prudent person would endeavour to obtain. But it is most desirable that Russia should endeavour to accomplish two objects—that she should give good Government to Poland, and, at the same time, preserve her own power of entering Europe by the Vistula. I know but one course of proceeding by which that double object can be accomplished. The wise course for Russia to pursue would be to propose to dissever the connection which was established at Vienna between the Russian Empire and Poland, then declared inseparable, and to place Poland, with such arrangements as to the political relations between her and Russia as might be deemed expedient, as an independent country with respect to internal Government, under the sovereignty of a Prince of her own family. I do trust that Her Majesty's Government and the other Powers of Europe which were parties to the Treaty of Vienna would willingly accept this compromise, and consider it as a sufficient performance of the obligations which were imposed upon Russia at the Congress of Vienna. Further, I do hope that the Poles themselves would have the good sense to accept it, and that no visionary ideas of future grandeur, however gratifying they might be to their pride as a nation—great as their pride justly is —would induce them to decline to accept that which, for the present at least, would give security for the government of Poland and the permanent peace of that country. My Lords, I know not what value is to be attached to the statement I have seen in the foreign rather than the English papers; but I see it there stated that it has been suggested by the Government of this country, and has been at last acquiesced in by foreign Powers, that an armistice should be proposed to the Emperor of Russia and to the insurgents in Poland. I believe that measure to be utterly impracticable. There are wanting on the side of the Poles three things essential as it has always been supposed, to the making of an armistice—an ostensible, acknowledged Government with which to contract it; an army for which to contract; nor is there any possibility of making that demarcation of limits which is essential in all cases of armistice. The only force possessed by the Poles is one which is here and everywhere, which is here to-day and gone to-morrow. The Polish insurgents collect only to strike. They disappear when they have struck their blow. They have no regular, no acknowledged limits within which they act. In an armistice the two sides keep their arms. But what is required here is that one side should lay down its arms. There is no other mode by which the Poles can perform their part of the arrangement. And what is it to lay down their arms? You may maintain, and you may extend an insurrection, but you cannot renew it when you have once thrown down your arms. And what is to be the position of the insurgents in the interval during the time in which the diplomatists—who are proverbially not the most rapid in their movements—attempt to bring about a permanent arrangement? From the penalties of treason the Poles might be relieved, but they would be still subject to the criminal law. Russian officers now rule in every parish throughout Poland. They have at their beck what are called peasant guards. Every man who has property, who is supposed to have patriotic feelings, is denounced, and there is a general sequestration of the property of such persons. Even in Lithuania, which is not a part of the Kingdom of Poland, no peasant is now permitted to pay rent to his landlord. He pays it to the State, and the State hereafter, if satisfied of the good conduct of the proprietor, will give him the balance which is due to him. This is a state of things which we know not as having existed at any time in any part of the world, and all this machinery would remain to afflict Poland during the long period of negotiation which must ensue if an armistice were agreed upon. Does the noble Earl, or does Her Majesty's Government, suppose that in diplomacy by itself there is any strength at all? Its strength is in the force by which it is supported — in the force behind. The strength of the Poles in diplomacy is the strength of the insurrection. It is no other. And, depend upon it, great as the sufferings of the Poles have been, they might have suffered for years longer, but if they had suffered in tranquillity and in silence, never would the sympathy of Europe have been extended to them. They have now the sympathy of Europe because they have had the courage and the spirit to rise against their oppressors. It is because they show themselves worthy of liberty that all Europe feels they ought to possess it. All I can say to the Poles is—"Persevere! Keep your arms! Strike down your enemies wherever you can reach them! You have embarked in a career of honour, of patriotism, and of glory. You may fall in the field; but it is better to fall there than to die in the ranks of your enemies. Persevere! And depend upon it, having adopted this course—adopted, perhaps, by despair, but sanctioned by reason and by justice — you will have the respect of all men, and, I trust, that Providence will bless your efforts."

EARL RUSSELL: My Lords, the noble Earl commenced by asking me what is the state of the negotiations in regard to Poland, and then expressed, with his usual eloquence, the views which he entertains with regard to the contest now going on in Poland. I will answer in a few words the questions he has put to me, but I shall try at the present moment to avoid entering into a discussion of the opinions which the noble Earl has expressed. As a Member of the Government I cannot think that it would be my duty to enter upon such a discussion at this moment. The present state of affairs in regard to diplomacy is this:—The Russian Government, as your Lordships are aware, have given separate answers to the three Powers—Austria, France, and Great Britain. To Great Britain they gave a longer and more detailed answer than to France, and a much more detailed answer than that which was given to Austria. But the result of what Russia stated to the three Powers was, that on the basis of the Treaties of 1815 they were willing and desirous of exchanging ideas, as it was termed, with these Governments. Now, to have said at once, in reply to the Russian Ambassador, that the three Governments had no proposition to make would have been to place ourselves in a very disadvantageous position as regarded Russia. I think it might fairly then have been said by Russia, "As the three Powers have no suggestion whatever to make, the Emperor of Russia is quite free to use his power as he pleases, and to make such arrangements as he thinks best fitted for his own interests in Poland." My Lords, the three Powers, thinking that such would be a disadvantageous position, entered into communications with regard to any proposition which should be made tending to the future welfare of Poland, and to that permanent peace which they all declared was the object of their individual endeavours. These confidential communications which have been going on between the three Powers have not hitherto resulted in any communication to Russia; but France and Great Britain are agreed upon certain propositions which they think would be properly made to Russia, which would be becoming their own character, and which, if adopted at once by the Emperor of Russia, would conduce to the welfare and the permanent peace of Poland. These propositions have been sent to Vienna. With the Court of Vienna we had had previous communications, but the terms upon which France and Great Britain have agreed have not hitherto been approved by Austria. Those communications only reached Vienna on Saturday last. Count Rechberg, the Austrian Minister of Foreign Affairs, made various observations upon them, but he said he must take the pleasure of the Emperor, and he could not take the pleasure of the Emperor until Tuesday—that is, until tomorrow. We are therefore expecting the communication which the Austrian Government will make to the Governments of Great Britain and France. And in this state of affairs, having to consider—as we ought to consider—deliberately and carefully such communications as Austria shall make, I venture to say that it is not expedient that your Lordships should now enter into a discussion upon this subject. With regard to the opinions which the noble Earl has expressed, I have already said I do not think it advisable to discuss them at present; but I will make a remark or two as to what he said both as to the Congress of Vienna, and as to the present state of things. When Lord Castlereagh arrived at the Congress of Vienna, the Emperor of Russia stated to him his views with regard to Poland—views which are well known, because they were afterwards adopted in the Treaty of Vienna. Lord Castleragh said at once, and I think with great sagacity, that in his opinion there would be considerable danger in adopting the propositions of the Emperor of Russia—dangers more especially affecting Austria and Prussia, who had shared in the partition of Poland. Lord Castlereagh said, that if a kingdom of Poland was erected which was to belong to the Emperor of Russia, who was to grant to it institutions of a liberal character, it was not to be expected that the Poles would consent, for the sake of that union, to renounce views which they had cherished since 1772—the restoration of Polish Nationality and the re-establishment of an independent kingdom: but, he said, such a kingdom would give rise to wishes on the part of the Polish subjects of Austria and Prussia for the enjoyment of similar privileges; and thus the Russian plan of establishing a kingdom of Poland would only nurture a spirit of discontent and disaffection among the Polish subjects of Austria and Prussia. Lord Castlereagh proposed, with the consent of Austria and Prussia, that there should be an independent kingdom of Poland; that it should be either an independent kingdom, comprising all the provinces of ancient Poland, or that it should be a kingdom confined to the Duchy of Warsaw, which at that time the Emperor claimed to be under his own jurisdiction. It became clear, in the course of the correspondence, and Lord Castlereagh admitted it to the Emperor of Russia, that although the earnest desire of Great Britain was to establish an independent kingdom of Poland, and however willing Austria and Prussia were to contribute to the reconstruction of such a kingdom, those two Powers were most averse to press anything upon the Emperor of Russia which might possibly lead to hostilities. Therefore, as that object of an independent kingdom could not be obtained, it was proposed that the provinces, instead of forming a kingdom of Poland, should be divided in such a manner as to maintain the balance of power. Such were the general views of Lord Castlereagh at the Congress of Vienna. But the views of Austria and Prussia were affected by subsequent negotiations, and more especially were affected and disturbed by the return of Napoleon from Elba; and therefore a different arrangement was finally agreed upon by the Congress. Now, as to what the noble Earl has said about a suspension of arms, I do not deny that the objections which he has made to what he considers to have been proposed by the Government are of great force. I admit that it may be found totally impracticable to provide for any temporary suspension of arms. But, at the same time, both humanity and policy seem to demand some such measure; because, as the noble Earl has truly said, nothing can be more horrible than the present state of Poland—nothing can be more horrible than the conduct of the Russian soldiery, on one side, destroying villages, taking the lives of those who fall into their hands, killing their prisoners on the field of battle; and the conduct of the insurgents on the other hand, who, when they find the peasantry are opposed to them, hold secret courts, which end by hanging those against whom sentence of death is passed. More than that, we hear of orders of assassination going forth from a secret tribunal, with a declaration that no one opposed to them should be allowed to live. Surely humanity suggests that any step would be desirable that would put an end to such a state of things. We would consent to propose one plan after another—one scheme after another—if we had any hope that such a state of things might have even a temporary pause. But if diplomacy is to have any effect, only consider how difficult it would be—nay, how futile it would be—to be exchanging diplomatic notes or holding conferences, while events are taking place in Poland from day to day which may, on one side, embitter those whom we expect to accept terms, and may drive them into such a state of fury that they will accept no terms whatever; or, on the other hand, if the insurrection is suppressed, may place the Powers which had taken part in the negotiations in a position to be told, "You have been framing schemes of conciliation and devising plans for the future welfare of Poland, but in the mean time the armies of the Emperor of Russia have suppressed the outbreak, and now it depends upon his good will and pleasure alone what terms he will grant to Poland." Therefore, the question whether it is possible to have an armistice or not is surrounded by immense difficulties. It is surrounded by such immense difficulties as makes me hesitate to give any assurance to the noble Earl that we can come to any satisfactory termination of these discussions. Our position, as I conceive, under the Treaties of 1815, is this—that being parties to the Treaties of 1815, and those Treaties not having been annulled, we are still bound by them. That being so, we have to propose terms which we think will be consistent with those treaties, and which we think will also tend to the welfare of Poland and lead to the establishment of durable peace in that portion of the world. Such is our task. It is not our task to propose the construction of a great kingdom of Poland, comprising all the ancient provinces of Poland, nor to propose such a plan to the acceptance of the different Powers who were parties to the Treaties of Vienna. It must always be our endeavour to conduct our communications with the different Powers of Europe in such a manner as to preserve the general peace. For my part I can see no advantage that could arise from armed intervention on behalf of Poland. I can see nothing but confusion and calamity likely to arise from an interruption of the peace of Europe. I cannot see what clear or definite object which a British Government could propose to itself, would justify them on entering into such hostilities, and I must enter my protest against engaging in any such contest. I ask with humility—because I feel how incapable I am of conducting an affair of such great difficulty; but as holding a grave and responsible office in the Government, and being responsible to the Crown and to Parliament for the conduct of these negotiations—I do venture to ask your Lordships to pause at this time, and to await the result of further communications. When these communications have been made, Her Majesty's Government will fearlessly produce to Parliament the results at which they have arrived whatever those results may be—whether, as I hope, these results will be such as shall be beneficial to the Poles, or that we are obliged to say that after all our efforts we have failed in obtaining those concessions to which the Poles look for freedom. Whatever course we may pursue, I shall be ready to state that course to the House and to abide your Lordships' judgment upon it.

THE DUKE OF RUTLAND said, he regretted that the noble Earl the Secretary of State for Foreign Affairs, had not made his appeal before the subject was introduced; because now the address of his noble Friend (the Earl of Ellenborough) would go forth to this country and to the world unanswered. That speech was couched in eloquent, but, as he considered, hasty language. The noble Earl said, that the sympathy of the people of this country was with Poland. No doubt, sympathy for Poland had been shown by both sides of their Lordships' House, and that sympathy was also very general throughout the country. But they must take care, that in expressing that sympathy and giving vent to their natural feelings, they did not do a great injustice to a great and friendly Power. The noble Earl had alluded to the dreadful conscription of the 14th of January, which every one must deplore. He was not going to apologize for that cruel and impolitic act. He thought it unworthy of the Emperor of Russia and of the people of that great country; but they should remember that the object of the Emperor was one of humanity. The Emperor, in giving a most reluctant consent to the carrying out of that conscription, did so in order to grant that constitution to Poland which had been referred to by both the noble Earls who had addressed the House; and when the noble Earl said that there was no parallel in the history of Europe to that act of cruelty and violence, he must be allowed to say that other nations, claiming to be even in the van of civilization, had, on occasions of emergency and danger, carried out measures quite as severe and unjustifiable and in a much more cruel manner, causing oceans of blood to be shed. He said again that the Emperor of Russia, in getting rid of the disaffected spirits in Warsaw, was desirous of giving liberal institutions and a better constitution to those who remained, who were the peaceful inhabitants. Their Lordships had listened to the eloquent language employed to depict the horrors of this war and the lamentable state of Poland—to his belief, no words could express the horror they must feel at what was taking place in Poland; but, he ventured to say, the best way of stopping the effusion of blood would be, not by lending their support to those who were engaged in insurrection and waging a war that could ultimately be of no benefit to themselves but, rather, to give their moral support to the cause of order and good Government; and then, when the insurrection was put down, it would be for the Governments of France, Austria, and England to step forward and recommend the granting of such a constitution and those institutions which might lead to the happiness of the Polish nation. It was not only the combatants but the non-combatants who were suffering most severely in Poland. He could not do better than read to their Lordships an extract from the correspondence of *The Times* upon this point—

> "A Polish proprietor in the kingdom was summoned not long since before a Russian General, charged with having rendered assistance to the insurgents, and solemnly cautioned against doing so again. The proprietor explained his position. 'If,' he said, 'the insurgents come to my place and ask for horses, carts, and corn, I must give them what they want or they will hang me. If, on the other hand, I let them have anything more than I am actually forced to give, you will hang me. However, if they hang me, my son will never find a wife in Poland, or my daughter a husband, and fifty years after my death people will turn their backs upon my children; whereas, if you hang me, I shall have monuments erected to my memory. On the whole, then, as a mere matter of calculation, I cannot refuse assistance to the insurgents.' I believe that in this particular instance the General was satisfied with the explanation given by the proprietor, who, perhaps, might have added that before long all his class will be drawn into active co-operation with the national movement. Hitherto they, the actual owners of the estates, have left their sons to represent them in the field, though they have supported the insurrection indirectly in a variety of ways, and directly by means of money contributions."

He believed that to be really a faithful picture of the horrible state of Poland at the present moment. The patriotism of the Polish ladies was well known. Dressed in the deepest mourning, they would tell you, if you asked the cause, that they were mourning for their country; but how many of them were now in mourning, not only for their country, but for some father, or husband, or brother, or son? He implored their Lordships, not by a morbid sentimentality and a feeble feeling towards the Poles, or by an uncertain and unmeaning diplomacy, to rivet those fetters which they all desired to see broken from the Poles, and by not countenancing with their support this dreadful insurrection, to give the opportunity to the Emperor of Russia of carrying out those reforms which he (the Duke of Rutland) believed in his heart he was anxious to do, and of granting a constitution to Poland that would enable the Polish people to live happily and in peace.

Lord BROUGHAM agreed, that as to the conduct of the Emperor of Russia, they ought not to indulge unnecessarily in acrimonious invective. That sovereign had many great and good personal qualities. When he was in this country, every one who was brought into communication with him was impressed with his amiable and just disposition. But unhappily he succeeded to that which most short-sighted men thought the greatest blessing, but which was in reality the greatest curse both to others and to themselves—namely, to absolute despotic power. And, no doubt, they had seen him in his great and exalted vocation employ that great power most beneficially and most honestly to a great operation—the emancipation of 20,000,000 of his peasantry. But, unhappily, despotism had not only a corrupting tendency on those who exercised it, but it had this misfortune, that it communicated the caprices of despotism to all employed in carrying out its orders. He did not believe that the Emperor of Russia himself instigated these proceedings which had goaded the Poles to this insurrection; but he could not go along with his noble Friend (the Duke of Rutland), in thinking that the object of the conscription, which had most justly been called a proscription, and of all the cruelties exercised under it, was to enable the Emperor to give a constitution to Poland. He could not go so far as that: but this he would say, that it was the persons employed by the Emperor who were to blame for that proscription, and for the fraud and cruelty under which it was carried into effect — its real object being, under the pretext of a conscription, to get rid of a body of the people of the most important and worthy character. That was done by those who were employed by the Emperor; and no doubt he was bound, as soon as the fact was communicated to him, to put an end to it. Having, however, given his sanction to it, he must now bear the shame of that proceeding. He entirely agreed with the noble Earl (the Earl of Ellenborough) in the advice he had given to the Poles. He also agreed in considering that an armistice, from the nature of the case, was out of the question. He was grieved to hear the statement of his noble Friend the Foreign Secretary, that he could not at present explain the progress of the negotiations—he hoped and trusted that in a few days he would find himself at liberty to give a satisfactory account. He agreed with the noble Earl (the Earl of Ellenborough) that it was most important if, by good fortune—by the wisdom of Russia, and by the prudence of Prussia—for Prussia was deeply interested—it was possible to give a constitution to Poland—not at all the constitution which they claimed, and which had been taken from them for so many years, but a constitution forming a separate country of Poland; and though that country might be under a Russian sovereign, yet one independent of Russia, and having a Government of its own; he hoped and trusted the people would listen to the advice of his noble Friend the noble Earl (the Earl of Ellenborough) and accept it. It was now half a century since he espoused the cause of the Poles, in concert with his lamented friend Prince Czartoryski, who was then in this country. He had not at that time, from accidental circumstances, a seat in Parliament, and could not therefore address the House of Commons in their behalf; but he addressed to the public what was called an "Appeal for Poland;" and that appeal was, he believed, not wholly without effect in their favour. He trusted, therefore, they would receive from their ancient ally the advice which he now gave, in common with his noble Friend on the bench behind him—to be satisfied with any such arrangement as that to which he had referred—namely, the establishment of an independent Kingdom of Poland, although under a Russian and not under a Polish Sovereign. That would be true wisdom on the part of the Poles; and he hoped—he perhaps rather wished than expected—that such a result might be attained.

Lord STRATFORD de REDCLIFFE said, that having been absent unavoidably during the early part of the Session, he hoped to be excused if he took that opportunity of offering a few words on the important subject which the noble Earl opposite (the Earl of Ellenborough) had brought under the notice of the House with his usual felicity and effect. If any gentleman from Poland had been present at that discussion, it would doubtless have afforded him the greatest pleasure to observe that every one of their Lordships who had taken part in it, though differing on some points of opinion, had expressed a cordial sympathy with the unhappy condition of the Poles, and a desire to rescue them from the cruel treatment which they had so long experienced at the hands of Russia. More than one noble Lord had placed no small degree of reliance on the personal character of the reigning Emperor; and, in truth, there was reason to believe that his sentiments were those of humanity and his intentions benevolent. But he would ask if those sentiments were attended with any practical effect in favour of his Polish subjects—if those intentions were carried out to any degree commensurate with the wants of Poland and its just claims to redress? If, on the contrary, as they had heard that night, and not unfrequently before, the Emperor's humanity was counteracted by those who surrounded him, and that even his irresponsible position and absolute power did not secure him from the evil influences of those who substituted their own prejudices for his benevolent views, what was the value of such idle unproductive virtues, and how could the Poles be expected to fix their trust on such unstable foundations? They naturally looked elsewhere for guarantees—they could not lose sight of the bitter experience which they had found in so many years of illusion, disappointment and suffering—they gave way to feelings of despair — they appealed to the sympathies of Europe, and found no solace except in the idea of national independence and emancipation from an intolerable yoke. These hopes, however difficult to realize, seemed to be justified, not only by the necessities of the case, but more especially by the principles which were more or less adopted by the leading Powers at Vienna nearly half a century ago, and which were distinctly pressed on the consideration of Russia by the representative of the British Government. He purposely abstained from repeating arguments which had been so eloquently urged by the noble and learned Lord who had preceded him in that discussion. It was probable that the Session would not close without offering other opportunities of debating this momentous question, and the state of the pending negotiations, as described by the noble Earl at the head of the Foreign Department, whatever might be the amount of hope which it held out, seemed, he confessed, to recommend the suspension of any further discussion on the subject in their Lordships' House until a stronger light could be thrown by Her Majesty's Government on the prospects of a diplomatic result. The present circumstances of Europe, and indeed of the world at large, called loudly for the earliest practicable settlement of a question so vast in its ránge, so dangerous in its consequences. It would be difficult to find a period when so many elements of confusion had been let loose. On the Continent, as in this country, there was a prevailing anxiety as to what is to be the issue of such an extraordinary and menacing state of things. It was impossible to converse with any man of political observation without finding an echo to the anxious and painful thoughts engendered by so many causes of dispute and chances of collision. But a few days ago in Paris one of the ablest statesmen in France demanded of him whether he had ever known a more confused and disjointed state of things? It really looked as if we had lost sight of our old principles in matters of international concern, without supplying their place by others worthy of reliance. The sources of this confusion might be supposed to lie beyond the reach of individual policy, and it was far from his meaning to throw blame on any one invested with responsible power under such critical circumstances; but what he wished to inculate was the importance of not unnecessarily delaying any assistance that might be given to the settlement of the Polish question, and not leaving Europe exposed to the additional danger which could not but spring out of the prolonged continuance of a war so barbarous in its character as that which was now spreading slaughter and devastation over so extensive a theatre.

Lord DENMAN would not have addressed their Lordships if the noble Viscount (once an ambassador) had not spoken; but as the noble Duke on the bench above him had remarked that diplomacy was unavailing, and as a relative of his own had attended a meeting in the City of London in which it was resolved that all diplomatic intercourse with Russia should cease, he could not refrain from saying that he hoped that diplomacy and a congress might yet lead to useful results. That it had hitherto been powerless, had been caused by the part taken in 1836 by the noble Lord now First Lord of the Treasury, and the noble Earl now Secretary of State for Foreign Affairs. It was on a subject which he would not name, as it had ended well for Poland; but the course taken by the late hon. Baronet, Sir Robert Inglis, was far better. That hon. Baronet, who so carefully guarded the constitution of this country, said, if you remonstrate, do not deprecate war in the first instance, but come down for a Vote of ten or twenty millions, for which he would vote to be ready to support diplomacy ; and he (Lord Denman) really thought that the noble Earl the Secretary for Foreign Affairs, should respect and not unsettle the constitution of this country, and not dictate a constitution to Poland. His (Lord Denman's) noble and lamented Father had, on one occasion, described the Potentates of Europe as "miscreants," but then he believed that armed, unjustifiable aggression was intended in aid of tyranny at Naples ; but now almost all the crowned heads of Europe were anxious for the happiness of all their subjects, and Englishment ought to re-establish confidence between them and their peoples.

"Superest componere fluctus."

He was not addressing their Lordships for the sake of being reported in *The Times*, but wished to make an impression on their Lordships' minds, and he hoped that people abroad would not place implicit reliance on the reports of newspapers, nor on the opinions of those who made reconciliation almost impossible. He was sorry to observe that subscriptions were being raised to put arms into the hands of insurgents, instead of money being found for the relief of the wounded. He knew of certain foreign gentlemen who might be in the House of Lords to hear this debate, and he hoped that they would carry away the impression that there was a large party in the country who were anxious that strife should cease, and order and happiness prevail.

Earl GREY said, that although he could not but concur in the general feeling of the House that this was a subject which they could not now discuss with advantage, still, after what had fallen from noble Lords who had preceded him, and particularly from the noble Viscount (Viscount Stratford de Redcliffe), he could not allow the debate to close without saying a few words. He must own that he had heard with some alarm that negotiations were still going on. The more they considered the lamentable condition of Poland—the more they heard of the dreadful contest there raging, the more doubtful it appeared to him that any diplomatic interference would be beneficial. His noble Friend the Foreign Secretary had told them—and he entirely agreed in that opinion—that he thought this country ought not to take up arms on behalf of Poland. If, then, our policy was to abstain from taking any part in the contest there raging, it seemed to him that diplomatic interference, however well meant, was far more likely to aggravate than to lessen all the evils which we deplored. He was sure that in the present state of both parties, and looking at the violence of feeling and action which prevailed on both sides, an accommodation between them was hardly to be anticipated ; and he feared that the only effect of interference might be to postpone the time when one party or the other might think that the struggle had been carried far enough. The noble Duke (the Duke of Rutland) had spoken of what he called mischievous and unmeaning diplomacy. He confessed that he shared in the noble Duke's fears in regard to unmeaning diplomacy. He believed it was true, as their Lordships had been told, that Europe was now in a state of unexampled confusion, and he attributed that unfortunate condition of things to too much unmeaning diplomacy. We were too apt to interfere and give advice which could lead to nothing. But he would not further pursue the subject, and all he had to add was the expression of his strong opinion, that as we do not contemplate interference by arms, the less we interfered with advice the better we should stand with both parties.

PRISON MINISTERS BILL—(No. 109.)

SECOND READING.

Order of the Day for the Second Reading read.

The Duke of SOMERSET, in moving the second reading of the Bill, said, that although questions connected with religion usually excited feelings of jealousy, he hoped this measure would be discussed with calmness and moderation. The object of the Bill was to amend the law relating to prisons in England and Scotland with respect to the religious instruction of the prisoners therein. The law, as it at present stood, was settled by the Act of *Geo.* IV., c. 64, which required justices in quarter sessions to appoint chaplains—priests of the Established Church—to the prisons within their jurisdiction, and to pay them certain stipends out of the poor rates. The justices were also empowered to allow ministers of other denominations to attend upon prisoners, if a request were made for that purpose ; but unless prisoners made such request, ministers other than those of the Established Church could not visit them, except in cases where they were under sentence of condemnation. The direct object of the Bill, therefore, was to provide for the religious instruction of prisoners not belonging to the Established Church; and although it applied to persons of all denominations, it was in fact chiefly required for Roman Catholics. There were a great number of Roman Catholics belonging to the labouring classes of the people; and it appeared from the Returns, there were in the county and borough gaols of this country a large number of Roman Catholic prisoners —in some years as many as 3,000 or 4,000. Their Lordships would feel that these unfortunate persons, many of them brought up in ignorance and vice, ought to have an opportunity afforded to them of obtaining religious instruction; but this, as the law at present stood, they could not do without making a special application to the justices; and this was well-nigh hopeless, because it was obvious that those who most needed religious instruction were the least likely to make a request to see a minister of religion. It might be observed that by the Act of George IV., which regulated the prisons of Ireland, and provided that grand juries should appoint chaplains, they were enabled to appoint Roman Catholic clergymen if they should think fit, and such chaplains were almost universally appointed in that country, in addition to Protestant chaplains. Yet it appeared by the Returns that in Ireland the Protestant prisoners were very few. For example, in the gaol of Galway there were five prisoners belonging to the Established Church and seventy who were Roman Catholics; and in Cork gaol there were eight prisoners belonging to the Established Church and above a hundred Roman Catholics. Yet in every gaol in Ireland ample provision was made for the religious instruction of the Protestants, and chaplains were appointed to visit them at the same rate of remuneration as was paid to the Roman Catholic chaplains. From that statement their Lordships would feel it would be only reasonable that in this country, where many Roman Catholic prisoners were undergoing punishment, some means of affording religious instruction should be found for them; and accordingly this Bill sought to provide those means. The measure, their Lordships would probably be of opinion, did not go beyond the necessity of the case, and that to a practical grievance it applied a practical remedy. The Bill provided, that where the number of prisoners confined in any prison belonging to any religious denomination other than the Church of England in England, and the Church of Scotland in Scotland, was so great as in the opinion of the justices or other persons having the appointment of chaplain to require the ministrations of a minister of their own persuasion, the justices may appoint such minister to attend upon the prisoners of his own persuasion, and might award to him a reasonable sum for his services, to be paid out of the fund legally applicable to the expenses of the prison. This minister was to hold his appointment at the pleasure of the authority by whom he was appointed, and was bound to conform in all respects to the prison regulations. The clause further provided, that where no such minister was specially appointed, the visiting justices might, without any special request from a prisoner, permit a minister of the particular denomination to which a prisoner belonged to visit such prisoner at seasonable hours. Practically, this Bill would apply to only a few prisons in England and Wales—he believed to not more than sixteen in the whole, and amongst them would be those of Liverpool, Manchester, Glasgow, and Birmingham. In some of those prisons the number of Roman Catholics was so large that the magistrates would be justified in appointing regular chaplains to visit them. The objections which had been raised to the Bill did not appear to him to be of great weight. First, it was said that there would be an addition to the poor rates; but he thought their Lordships would set aside such a ground, and say that while the whole of the people of Ireland were rated for the religious instruction of Protestant prisoners, they ought not to grudge the small provision which would be necessary for Roman Catholic prisoners in England. It was next said that the Bill would create dissensions amongst the visiting justices; but he did not think those gentlemen would act so unreasonably as to seek to withhold from the most wretched class of their Roman Catholic fellow-subjects the means of religious instruction. He thought the Bill had been well arranged for the purpose of meeting a practical grievance, and it would in addition relieve Protestant chaplains from the necessity of visiting those who never liked to see them. In truth, the Bill was not of a religious character at all—it was a measure of prison discipline. He had stated generally the grounds why this Bill should be read a second time, and he felt confident that their Lordships would agree with him that they ought not to withhold from any portion of the people that religious instruction which, if afforded, might make them better citizens.

Moved, That the Bill be now read 2ª.

Lord BERNERS said, he rose to move that the Bill be read a second time that day six months. He did so on three grounds:—1st. That he considered it wrong to pay for the propagation of error. 2nd. That it was unnecessary. 3rd. That the results would be mischievous and injurious to the interests of the Established Church. The Protestant religion was established by law, and the Protestant Church was connected with the State in this country, and therefore they were bound not only to maintain them, but to refrain from encouraging any other creed that was hostile to them; and he believed that to subsidize the ministers of other denominations was an act of hostility to the Church of England He loved religious liberty, and considered that the true principle of toleration was to allow every man to worship God in the way in which he might think fit; but he did not think it required him to give legislative sanction to the interference of ministers of other denominations, or to set up antagonists to the ministers of the Gospel appointed to give religious consolation to prisoners by the justices of the peace. That the Bill was not necessary was clear from the fact that the justices already possessed a permissive power, where there was a large number of prisoners not of the Established Church, to allow ministers of their own denomination to visit them. That power, so far as Roman Catholics were concerned, had worked well. But in many cases Roman Catholic prisoners attended the ministrations of the Protestant chaplains; and if this Bill passed, that privilege would be denied to them. By Returns to Parliament it appeared, that in eleven prisons, of 1,515 Roman Catholic prisoners only 317 had availed themselves of the permission to be visited by priests of their own faith. One of the greatest objections to this Bill was, that it would give a status to Roman Catholic priests which at present they did not possess, and they would be put upon an equality with clergymen of the Established Church. Further, if it was conceded that Roman Catholic or Dissenting chaplains might be appointed to gaols, he did not see how they could withhold them from union workhouses and other public institutions. He objected to the teaching of the Roman Catholic Church, and their doctrine that some sins were venial and some mortal: such doctrines could only have a tendency to create a confusion between right and wrong in the minds of the prisoners, and could not lead to improvement. Their Lordships should also remember, that as Roman Catholic priests were above the law, and held authority of those who were superior to the law, the justices would have no power over them. The case of the Rev. Mr. Fox and the guardians of the South Dublin Union was a case in point; and after reading the correspondence in that case, and quoting the Returns of the Inspectors of Prisons, proving the proportion of criminals to population, those of the Romish Church was double that of the Protestant, and arguing that the teaching, the doctrine, and discipline of Romish priests were not such as to promote the reclamation or improvement of criminals, he said, he felt it to be his duty to move that this Bill be read a second time that day six months.

Amendment *moved*, to leave out ("now") and insert ("this Day Six Months").

The Earl of DERBY: My Lords, it is with the most sincere regret that I feel it my painful duty to express opinions opposed to those entertained by my noble Friend who has just spoken; and, I fear, to those of other noble Friends in this House. My Lords, so great is my respect for the religious scruples of my noble Friend, and for every statement he has made, and so firmly am I convinced of the honesty of his objections, and so highly do I value the unity of action, that if this were a matter of minor importance, or if it were a question upon which I myself had a shadow of doubt or hesitation, I should infinitely prefer to waive my own opinions and yield to objections the force of which I do not feel, and obey scruples which I do not myself entertain. But I do not look upon this as a matter of minor importance. My opinion of the policy and justice of this measure is so clear and so decided, that painful as it is for me to differ from my noble Friend, and from others, I cannot refrain from giving that vote in support of this measure which I believe I am called to give by justice. My noble Friend objects to this Bill, that it lowers the status of the Church of England, and puts other denominations of Christians upon the same footing as the Church of England. I think I may appeal with tolerable confidence to a public life of more than forty years to obtain for me the credit of refusing to consent to any measure which, in my judgment, would be injurious to the interests or derogatory to the position of the Church of England in this country. It is nearly forty years since, in one of my first addresses to Parliament, I opposed a measure brought forward by the late Mr. Hume, calculated as I believed to injure the interests of the Established Church in Ireland. Ten years later, rather than consent to a measure which I conceived was likely to injure that branch of our Established Church, I seceded from a Government presided over by a man to whose memory I can never look back but with the utmost respect, regard, and affection, and from a Cabinet with which I had no other cause of difference, and with many of the Members of which I have always continued on the terms of intimate friendship. I appeal to the recollections of your Lordships, whether from that time down to the present moment, when any measure was brought forward threatening, as I thought, the independence and integrity of the Church of England, I have not been one of the foremost to oppose it; and whether, when any measure was brought forward calculated, in my opinion, to secure the position and to augment the influence of that Church, my voice has not been raised, and raised energetically, in its favour. I say this in answer by anticipation to those who might be disposed to say that in this matter I had allowed myself to be overruled by the opinions of others to consent to a measure which I deemed to be unfavourable to the position of the Established Church.

My Lords, in discussing this measure I shall deal with it as one which specially affects the Roman Catholics, because, although it applies to other denominations, it is practically, as the noble Duke said, for the relief of the Roman Catholics. My noble Friend (Lord Berners) says that the Bill places the Roman Catholic Church upon a footing of equality with the Church of England; but I think my noble Friend must have considered the provisions of the Bill very imperfectly when he makes that assertion. I have seen it stated over and over again that this is a Bill for the endowment of the Roman Catholic Church; but those persons who use that language misconceive entirely the essential character of an endowment. I hold it to be essential to an endowment that the possession of it should be permanent and certain; that it should not depend on the voluntary action or caprice of any party; that it should not only be the property of the individual possessor, but that it should be capable of being secured to his successors, and that it should be maintainable at law as a positive and substantial right, and should only be withdrawn by the omnipotence of Parliament. But is that the case with the concession which the present measure will extend to the Roman Catholics in this country? What does this Bill do? It provides, that in any case in which it is the opinion of the justices that the number of prisoners differing from the Church of England in any prison is so great as in their judgment to require the ministrations of a clergyman of any other religious persuasion, the said justices may appoint a minister of such religious persuasion to attend the said prisoners, and may award him such reasonable recompense as they may think fit. It goes on to say that the said minister shall hold his appointment at the pleasure of the justices, and shall be subject to all the rules and regulations of the prisons they may attend. Now, I appeal to your Lordships whether every one of the essentials of an endowment are not only studiously omitted here, but absolutely contradicted. It is left entirely to the justices to appoint if they think fit; they may refuse to pay the minister; they may pay him just what sum they think fit, and they may discharge him when they please. This certainly does not look very much like placing the Roman Catholic Church on a footing with the Church of England. My noble Friend says that the existing law is perfectly sufficient for all the purposes of the spiritual instruction of Roman Catholic prisoners. I regret to have to state that I differ from my noble Friend upon that point altogether. I do not think that the provisions of the law as it stands are satisfactory, or that they are founded in justice. The law is, indeed, so manifestly unjust that in all the principal prisons, I believe, the magistrates depart from its strict letter. The law is that every prisoner shall, without any distinction, be visited by the chaplain of the gaol, who, of course, must be a clergyman of the Church of England. Now, I know well the honesty and the love of fair play of my noble Friend, and I ask him to reverse this position. I ask him whether, if this were a

Roman Catholic country containing a considerable number of Protestant prisoners, and if they were compelled to receive, whether they would or not, the visits of Roman Catholic priests, so that the whole period of their confinement was not only a penal sentence, not an attempt at reformation alone, but one continued system of proselytism, would he consider the provisions of such a law satisfactory? My noble Friend says that this restriction does not apply to the case of prisoners who desire to see a minister of their own persuasion. But the law makes no such provision. The law says that the chaplain shall be a clergyman of the Church of England; it is the good sense of the magistrates which says to the prisoners, "If you desire to see a minister of your own persuasion, we will take upon ourselves to supersede the law and allow you to see him." But is it reasonable to argue from the supposition that men of the character and the past lives of the majority of our prisoners will readily come forward and ask for the services of a minister of their own persuasion? It is to be said—and to be said to the great credit of the Roman Catholic prisoners—that a very considerable number of them do request to receive the ministrations of one of their own clergymen; and it was also greatly to the credit of the clergy of the Roman Catholic persuasion that in no case do they neglect the call so made upon them. With regard to Protestant Dissenters there have been no such demands, and for very sufficient reasons. There are no such broad distinctions between the different sects of Protestant Dissenters as to prevent the members of one receiving religious consolation and instruction from the ministers of the other; and Dissenting ministers do not object to prisoners of their persuasion receiving the ministrations of the Church of England chaplain. The case of Roman Catholics, however, is widely different. They have been instructed that even to listen to the teachings of a minister not of their own persuasion is a heinous sin. A prisoner of no particular strength of religious feeling would not object to listen to the chaplain of the Church of England, because he does not consider his teaching to be of any authority whatever; but he will most earnestly deprecate being visited by a priest of his own faith, who has more power over his mind, and to whom he will attribute a great deal more authority and responsibility than he would to the minister of any other persuasion. My noble Friend says he does not desire that Roman Catholic prisoners should be deprived of the offices of their religion. But was it right that they should only receive them in those cases in which they have made an express request for that purpose? We have been led to believe that reformation is the great object of punishment. I am afraid it does not follow as frequently as philanthropists would wish; but undoubtedly it is one of the objects of punishment, and one of the agencies which we must use in bringing it about is that of religious instruction and consolation. It must not be forgotten that we have here to deal with a very considerable class. I do not know whether my noble Friend has seen a Return moved for in the House of Commons by Lord Edward Howard. From this Return it appears that there is a very large number of Roman Catholics in the various gaols of England. In the eleven convict prisons of the country there are 1,388 Roman Catholics, being an average of 126 to each prison. In fourteen of the other prisons the average number is 133, the number in each of the fourteen exceeding 50. Now, I am as sincerely opposed as any one can be to the doctrines and practices of the Roman Catholic Church. I believe it has encumbered the simplicity of public worship with a vast amount of unnecessary forms and ceremonies, in which the spiritual character of religion is overloaded with that which is merely external and apparent to the senses. I think that many of its doctrines are not only not supported by, but are absolutely repugnant to the written Word of God. I think that some points to which it attaches the greatest importance are points in which it derogates from the worship to be paid to the Almighty alone, and from the merits of the only Mediator in whom Protestants are taught to place their only trust. But whatever I may think of the mode in which the Roman Catholic Church overloads the foundations of scriptural truth, yet I cannot shut my eyes to the fact that those foundations are at least the same with its members as with us—that we both acknowledge the same God and the same Saviour, that we look to the same Mediator for the remission of sins, and that we derive our religious and moral teachings from that same source to which alone Christians can look for the foundation of their religious belief and moral practice. Therefore, although the doctrines of the Roman Catholic Church may be mingled with much of error, I cannot assent to the position of my noble Friend, and deny that the influence of the priests of that Church must have a most powerful tendency to guide the minds of prisoners of their own persuasion, and to awaken those prisoners to a sense of their former evil life. Prisoners are persons who stand peculiarly in need of religious instruction. Either it is desirable that Roman Catholic prisoners should have the teaching of their own Church, or it is not. If it is desirable, we are bound to give it to them, in order to accomplish the main object of punishment—namely, the reformation of offenders. They will not accept your teaching; they are not desirous of it; and it is not your duty to force it on them. But it is your duty to let them have religious instruction which they will attend to. My noble Friend does not dispute that in some cases this instruction is now given, and rightly given. The only point in dispute is whether it should be given gratuitously, or should be paid for. My noble Friend does not dispute the propriety of allowing Roman Catholic clergymen to give instruction in prisons; but he contends that they should do so on their own responsibility, and at their own expense. It is quite true that there are prisons in which there are very few Roman Catholic prisoners; and in these it is never impossible, and seldom difficult, to procure the attendance of a Roman Catholic clergyman; but there are many prisons in which it would be unjust and impossible to call on the Roman Catholic clergyman to give his services without any remuneration, if it be desirable that the prisoners of his religious persuasion should have the advantage of these services. I belong to a county in the gaols of which there is the greatest number of Roman Catholic prisoners, while my noble Friend belongs to one in the gaol of which there is perhaps the smallest number; and this circumstance may, perhaps, have influenced us in forming the opposite conclusions at which we have arrived. I find that in the borough gaol of Liverpool there are about 350 or 360 prisoners who are members of the Church of England. The Protestant chaplain of that prison receives a sum of £400 a year for his services. In the same gaol there are 460 Roman Catholic prisoners. The Roman Catholic priest attends twice a week, and the remuneration for his services to about a hundred more prisoners than are attended by the Protestant chaplain is just *nil*, as against the £400 paid to the latter gentleman. My Lords, it is impossible to look at those Returns, and to argue in the face of the facts which they disclose that you are dealing justly and equitably as between the ministers of the two Churches. My noble Friend objects to any payment being made to a Roman Catholic priest. Why does not my noble Friend object to the payment of Roman Catholic Chaplains in Ireland? [Lord BERNERS: I think it wrong in Ireland.] In Ireland the system is compulsory. The law compels the appointment of Roman Catholic chaplains in the gaols of that country, and provides for their payment out of the county rates. If it would be a mortal sin to do this in England, we are sinning deeply in Ireland, because there the law not only gives you the opportunity, but compels you to do it. Certainly, among my noble Friends coming from the north of Ireland, who are most strongly opposed to the Roman Catholic religion, I have never heard any objection raised to the payment out of the county rates of the Roman Catholic chaplains in the gaols there. It may be said that there is a much larger number of Roman Catholics in Ireland than in this country. But this Bill merely provides that the magistrates shall have the power of appointing Roman Catholic chaplains in those prisons in which the number of Roman Catholics is so great as to render it desirable, in their opinion, that such a course should be adopted. I think it a matter of great importance that the magistrates are to have the power of dismissing the Roman Catholic chaplain, so that he should feel that he is under their jurisdiction, and is responsible to them for the manner in which he discharges his duties. My noble Friend apprehends that this provision may be overridden, and that, while nominally in the hands of the magistrates, the appointment of the priest may in reality be in the hands of the Roman Catholic bishop; and my noble Friend referred to a case in which he says Archbishop Cullen insisted on a particular appointment, and in which the Irish Poor Law Commissioners—as I think very unwisely—yielded; but I feel persuaded that there is not much fear of magistrates in this country allowing themselves to be brow-beaten or unduly influenced by an imprudent Roman Catholic bishop. I am sure they would maintain their authority if any attempt were made to set it at defiance. No doubt, there are imprudent and ill-judging bishops in the Roman Catholic Church, as I am afraid there are in all other Churches; but, though the doctrine of the Roman Catholic Church may be that the Church and bishops are superior to the law, that happily is not a doctrine which prevails in this country, and magistrates would take care to let their authority be felt, and to show that no man was superior to the law. It is true that the Roman Catholic bishop might prohibit the clergyman from acting; but in that case the deprivation of religious instruction would lie not at the magistrate's, but at the bishop's door. I think that consideration will weigh with Roman Catholic bishops in this country, and I am not apprehensive that any result of this kind will ensue. It appears to me that the Bill is one which meets the justice and the equity of the case, and does not go beyond it. It does not place the Roman Catholic Church in a position different from that of other denominations. Still less does it place it on a footing in the slightest degree of equality with the Established Church. I should regret very much if the Bill had that effect; but it has not. What it provides is, that where duties are to be performed—laborious, painful, and responsible duties—you shall not, if they are services to the State, insist on their performance without remuneration; that you shall make a fair return for services which you may deem valuable in carrying out the great work of prison reformation.

My Lords, I am well aware not only that in the course I feel called upon to take I differ from several of my noble Friends around me, but that this measure has met with much misapprehension and prejudice—honest prejudice, no doubt—and that it is not likely to be popular in the country. But where I have clearly seen my way with regard to the justice and policy of a measure, I hope that I never have shrunk, and that I never shall shrink, from incurring the risk of unpopularity; and I think I make a much greater sacrifice than in taking a course which may subject me to unpopularity out of doors, when I find myself differing on this question from so many of my noble Friends around me, with whom, on most occasions, it has long been my happiness to act. All considerations of this sort, however, must give way to considerations of policy and justice; and believing the measure to be founded not only upon policy and justice, but upon the higher principle of Christian charity and religion, I deem it my duty to give a conscientious and a cordial vote in favour of the second reading.

THE EARL OF HARROWBY said, that no declaration on the part of his noble Friend who had just sat down was required to free him from the slightest suspicion of doing anything which, in his opinion, could tend to injure the Established Church. Nevertheless, while he gave his noble Friend the fullest credit for being actuated by the most perfect sincerity of feeling, he could not but think he had arrived at a most erroneous conclusion; though the question was certainly not without its difficulties. His noble Friend had taken much pains to show that the Bill proposed no endowment in the case of the Roman Catholics. No doubt, it was not an endowment in the strict sense; but Roman Catholic priests were to be paid for their services out of the rates, and the difference between that and endowment was rather one of words than of substance. Hitherto, the duty of attending to the spiritual wants of the Roman Catholic or Dissenting prisoners had been left to be performed by voluntary effort, and he did not see why these denominations should be assisted in this duty any more than in the duty of attending to their sick, or of carrying on other works of charity, to which they were found fully equal. Great inconvenience would be occasioned when a Roman Catholic priest was introduced into our prisons as a kind of rival chaplain to the chaplain of the Established Church, and dissensions would arise which could not but be mischievous. The new principle which it was now sought to introduce was not called for by toleration or by necessity; for by the existing law prisoners could be visited alike by the Romish priest and the Dissenting minister. The Dissenters were not asking for such a measure; they did not call upon the State to endow their ministers, and decidedly objected to an endowment of Roman Catholic priests. Moreover, the Bill would introduce a new subject of discord all over England without any adequate advantage. Questions of a most invidious character would arise; the church rate question had created nothing comparable to the discord which would be occasioned by such a measure. On all these grounds, he felt bound to oppose the second reading.

THE EARL OF CHICHESTER thought it his duty to vote for the second reading, but at the same time he felt strong objections to some of the provisions of the Bill. With its professed principle he agreed—namely, that of enabling a better provision to be made for the religious instruction of the Roman Catholic prisoners. It was quite necessary that the present state of the law should be amended. As the House had been reminded, Roman Catholic chaplains were regularly appointed and paid in Irish gaols; and in the great convict establishments in this country the same system existed. His principal objection to the Bill was, that the appointment of Roman Catholic chaplains was left discretionary with the Courts of Quarter Sessions. He thought Parliament ought to define the class of prisons to which Roman Catholic chaplains should be appointed, and also ought to lay down the limits of the salaries to be paid to them. From his experience, he could not believe that in his part of England any Roman Catholic chaplain was at all likely to be appointed. Under the existing law, Roman Catholic prisoners were entitled to the ministrations of priests of their own faith, if they chose to ask for them; but under this Bill those ministrations might be forced upon them, and this appeared to him very objectionable. He should support the second reading, but only in the hope that Amendments would be introduced in Committee.

THE BISHOP OF LONDON said, that after the appeal that had been made to their Lordships in support of the Bill upon the ground of justice, he would have been unwilling to vote against it, had not a careful consideration of the subject, and an attentive hearing of the speeches that had been delivered, led him to believe that no injustice would be done by rejecting the measure. The noble Earl who spoke last (the Earl of Chichester) had told them that there was little probability that in his part of the country any bench of magistrates would be found to consider a Roman Catholic chaplain a necessary officer in their prisons. If that were likely to be practically the result of this Bill, the question of the justice of the claim was scarcely involved in their decision; and an important principle was involved—namely, whether it was right or not that in this country now for the first time steps should be taken to appoint Roman Catholic chaplains to great public institutions. One main difficulty which had been forced upon him in considering this question was, that he could find nothing to point out definitively where that principle was to stop. The noble Lord who moved the Amendment alluded to the union workhouses, and no doubt, if this measure were adopted, great difficulties would arise with regard to workhouses. Poverty was no crime; many were forced into the workhouses from sheer destitution, and it was well known that in the poorer districts a large proportion of the inmates of the workhouses were Roman Catholics. No doubt some persons might say that it was desirable to have Roman Catholic chaplains appointed for these workhouses; but he was not persuaded that the country was prepared for such a step. He thought it was right that every Roman Catholic prisoner should have free access to his spiritual advisers, as he thought the instruction they would receive, however imperfect it might be, was likely to do good; but he did not see that it was therefore necessary that in every prison there should be a Roman Catholic priest invested with the status of a prison chaplain. He was told that there was no difficulty—all honour to our Roman Catholic brethren for it—in obtaining religious instruction to Roman Catholic prisoners by voluntary exertions. It might be hard to accept those services without payment; but he was not therefore prepared to sacrifice a principle, and to go out of the way to pass a measure which must lead to great difficulties hereafter. He was almost of opinion, that after all, if, as was stated, this measure was not likely to lead to the appointment of Roman Catholic chaplains, it was quite possible there might be a party in the country whom it was thought desirable, for various political reasons, to conciliate, without any great regard to sacred principles; and this Bill might have been introduced to conciliate these persons rather than from any desire to do justice and secure instruction to Roman Catholic prisoners. Under any circumstances, he could not think that the country was prepared to see Roman Catholic priests occupying the same status in our prisons and workhouses as the clergy of the Church of England. If the measure were practicable, if there should be no difficulty with regard to the appointments at the quarter sessions, he was afraid, that when the principle was extended to workhouses, such dissensions would arise as would make us very sorry we had ever touched the question. The noble Earl opposite had stated that the Roman Catholic bishops might be restrained from interference in the appointment of these chaplains; but every one was aware of the great difficulties which had arisen all over Europe from a collision with Roman Catholic bishops. For some reason or other Roman Catholic bishops were a difficult set of persons to deal with; and his advice to their Lordships would be not to step out of their way to give these bishops a stronger position than they now occupy.

THE EARL OF CORK regretted the speech of the right rev. Prelate, which contained at least two fallacies. This was no innovation, because there were already Roman Catholic chaplains bearing the Queen's commission; and surely there could be no greater danger in allowing their ministration to prisoners in gaols than to soldiers dying on the field of battle. There was also a necessity for the Bill, because Returns showed that there were hundreds of Roman Catholic prisoners who did not obtain religious instruction. Under the existing law, although a prisoner might ask for the services of a priest of his own Church, yet he was forced to receive the visits of the Protestant chaplain, who frequently presented him with tracts questioning the validity of the religious instruction afforded by his own priest. In Scotland recently it appeared that a Scripture reader visited the Roman Catholics confined in a gaol; and when appeal was made to the Secretary of State, an order was given that the instruction should be confined to secular subjects; but, notwithstanding that instruction, the Scripture reader was allowed to continue his visits. He only regretted that the Bill was not made compulsory. It was said this Bill would lead to unpleasantness at quarter sessions; but the whole of his experience convinced him that the good sense of the majority of magistrates would never allow them to act otherwise than as their sense of justice dictated. He could not agree that the adoption of the Bill would be a source of danger to the Established Church. He should be sorry to think that the foundations of that Church were so weak as to be endangered by so simple a measure as this. For these reasons, he should support the second reading of this Bill.

LORD ARUNDELL OF WARDOUR, who was imperfectly heard, supported the Bill. He considered that Roman Catholic prisoners were entitled, on the principles of religious toleration, to receive instruction from the ministers of their own persuasion; and the Roman Catholic community, paying the same taxes with members of the Established Church, were entitled, as a matter of justice, to see that their fellow religionists shared the advantages secured to other prisoners. He contended that no status was conceded by this Bill to Roman Catholic priests to which they were not fairly entitled. He thanked Her Majesty's Government for having brought forward this measure, and he did so the more readily that he agreed with them on so few other questions; and he also desired to express his thanks to the noble Earl below him (the Earl of Derby) and the leader of the Conservative party in the other House of Parliament for their manly advocacy of this measure.

THE EARL OF DONOUGHMORE regretted that the speech of the right rev. Prelate (the Bishop of London) should have contained an insinuation, and a very offensive insinuation. His language implied that those on that (the Opposition) side of the House who advocated this Bill did so, not on the ground of the inherent justice of the claim on which it was based, but for the sake of gaining political support.

THE BISHOP OF LONDON explained: Referring to the observation of a noble Earl, that the measure would lead to no practical result, because no Roman Catholic prison chaplains would be appointed under it, he had said that the argument founded on justice was not very strong, and that it might be supposed there was some other motive for the support given to the Bill.

THE EARL OF DONOUGHMORE said, he thought the present imputation of the right rev. Prelate was equally unjustifiable. He totally repudiated any other motive for supporting the measure except a belief in its justice. In all the prisons of Ireland they had Roman Catholic chaplains, their appointment not being a matter left in the discretion of the magistrates, but being made compulsory, and their right to enter the prisons was one that he had never heard questioned by any political party. He maintained that the opponents of this Bill, if they were consistent men, were bound to move the repeal of the present law in Ireland. There was no difference of status between a Roman Catholic prisoner in England and a Roman Catholic prisoner in Ireland. In each case the man was a British subject under temporary restraint, and there was no reason on earth why he should be treated differently in this matter in different parts of the United Kingdom. He wished there were a simple clause in this measure enacting, that whenever the number of Roman Catholics in a prison exceeded a certain minimum, then the governing body of the prison should be required to appoint and pay a Roman Catholic chaplain. It was said, that if this Bill were passed, Scottish magistrates would refuse to act upon it; but such a clause as he suggested would prevent their deliberately setting themselves up against the law. It was a question of policy whether they ought or ought not to have Roman Catholic prison chaplains. He thought that they ought, and the right rev. Prelate thought they ought not; but having once decided that there should be such chaplains, Parliament ought to take measures to insure that they should be appointed in a given case, and not leave it in the discretion of the various governing bodies of prisons to appoint or not appoint them as they thought fit. To leave the matter optional would create great religious excitement all over the country, and in Scotland might cause the intention of the Legislature to be wholly defeated.

VISCOUNT MELVILLE said, he did not think the Bill as it stood would lead to the appointment of any Roman Catholic chaplains in Scotland; while he believed, on the other hand, it would engender contests between members of the Established Church and the Free Kirk for the nomination of a minister of their own denomination. The provisions of the measure ought to be more definite and explicit.

THE BISHOP OF CASHEL said, he regarded this as a question of principle, which was not to be disposed of by merely appealing to the practice existing in the prisons of Ireland or elsewhere. He would give the most thorough toleration to all religious persuasions, but he held it to be a very erroneous principle to encourage and pay people to teach that which we believe to be false.

On Question, That ("now") stand part of the Motion? their Lordships *divided*:— Contents, 65; Not-Contents, 30: Majority 35.

Resolved in the *Affirmative*: Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

CONTENTS.

Westbury, L. (*L. Chancellor.*)

Devonshire, D.
Grafton, D.
Newcastle, D.
Somerset, D.

Bristol, M.
Normanby, M.

Abingdon, E.
Airlie, E.
Belmore, E.
Camperdown, E.
Carnarvon, E.
Chichester, E.
Cowper, E.
De Grey, E.
Derby, E.
Ducie, E.
Granville, E.
Grey, E.
Hardwicke, E.
Powis, E.
Saint Germans, E.
Sommers, E.
Wicklow, E.
Yarborough, E.

Eversley, V.
Hutchinson, V. (*E. Donoughmore.*)
Sydney, V.

Bath and Wells, Bp.
Worcester, Bp.

Abercromby, L.
Arundell of Wardour, L.
Belper, L.
Blantyre, L.
Bolton, L.
Boyle, L. (*E. Cork and Orrery.*)
Camoys, L.
Carew, L.
Clifford of Chudleigh, L.
Colville of Culross, L.
Cranworth, L.
Dartrey, L. (*L. Cremorne.*)
Dormer, L.
Ebury, L.
Foley, L. [*Teller.*]
Granard, L. (*E. Granard.*)
Heytesbury, L.
Kenmare, L. (*E. Kenmare.*)
Leigh, L.
Lovat, L.
Lyttelton, L.
Lyveden, L.
Manners, L.
Mostyn, L.
Overstone, L.
Petre, L.
Ponsonby, L. (*E. Bessborough.*) [*Teller.*]
Portman, L.
Rivers, L.
Saltoun, L.
Stafford, L.
Stanley of Alderley, L.
Stourton, L.
Vaux of Harrowden, L.
Wodehouse, L.

NOT-CONTENTS.

Marlborough, D.

Cholmondeley, M.
Westmeath, M.

Amherst, E.
Bandon, E.
Desart, E. [*Teller.*]
Harrowby, E.
Mayo, E.
Tankerville, E.

Melville, V.

Carlisle, Bp.
Cashel, &c., Bp.
Chichester, Bp.
Lichfield, Bp.
Llandaff, Bp.
London, Bp.
Ripon, Bp.
Salisbury, Bp.

Berners, L. [*Teller.*]
Calthorpe, L.
Castlemaine, L.
Congleton, L.
Denman, L.
Dunmore, L. (*E. Dunmore.*)
Egerton, L.
Feversham, L.
Polwarth, L.
Rayleigh, L.
Redesdale, L.
Stewart of Garlies, L. (*E. Galloway.*)

House adjourned at a quarter before Nine o'clock, till To-morrow Twelve o'clock.

HOUSE OF COMMONS,

Monday, June 8, 1863.

MINUTES.]—SUPPLY—*considered in Committee*—CIVIL SERVICE ESTIMATES.

PUBLIC BILLS — *First Reading* — Public Works (Manufacturing Districts)* [Bill 154].

PUBLIC WORKS (MANUFACTURING DISTRICTS) BILL.

Bill to facilitate the execution of Public Works in certain Manufacturing Districts; to authorize for that purpose, advances of Public Money, to a limited amount, upon security of Local Rates; and to shorten the period for the adoption of the Local Government Act, 1858, in certain cases, *presented*, and read 1°. [Bill 154.]

SEA FISHERIES.

HER MAJESTY'S ANSWER TO ADDRESS.

Sir GEORGE GREY appeared at the Bar, and informed the House that he had brought up Her Majesty's reply to an Address, praying for the appointment of a Commission to inquire into the subject of Sea Fisheries.

Answer to Address [2nd June] *reported*, as follows:—

I have received your Address, praying that a Royal Commission of Inquiry into our Sea Fisheries may be issued, with the view of increasing the supply of a favourite and nutritious article of Food for the benefit of the Public.

And I have given directions that a Commission shall issue for the purpose which you have requested.

IRELAND—POLICE IN TIPPERARY.

QUESTION.

Mr. BAGWELL said, he wished to ask the Chief Secretary for Ireland, What steps the Government of Ireland mean to take in regard to the extra Police force at present quartered in the townlands of Boytonrath and others, in the county of Tipperary?

Sir ROBERT PEEL, in reply, said, before the hon. Gentleman had given notice of his question, the subject had been under the consideration of the Government, and the matter had been referred to the resident magistrate of the district named, who had put himself in communication in reference to it with the Lord Lieutenant of the county. Unfortunately, the occurrence of another agrarian murder within the last day or two, in the county, seemed to show that such a step as the withdrawal of the extra police was not advisable.

Mr. BAGWELL said, he wished to know, whether the right hon. Baronet has received any detailed account of the melancholy event to which he has alluded?

Sir ROBERT PEEL: We have received a telegram, from which it appears pretty clear that the murder of Mr. Jackson was one of an agrarian character. He left his residence, it seemed, about nine o'clock in the morning, was shortly afterwards shot, and died immediately. I have also received a telegram, stating that three persons have been arrested on suspicion of having committed the murder, but whether they are the actual perpetrators or not, I do not know.

Mr. SCULLY: Is it not the fact that the scene of the murder is thirty or fourty miles distant from the districts in which the extra police force is stationed?

ASSAULT ON CONSUL GENERAL FONBLANQUE AT BELGRADE.

QUESTION.

Mr. DARBY GRIFFITH said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether, considering the statements that have lately been made of the inoffensive conduct of the Garrison of Belgrade in former years, the Government will continue to refuse the production of the Papers and Correspondence relating to the serious attack made upon the late Mr. Fonblanque, our Consul General in Servia, by a soldier of the Turkish Garrison, in the year 1858?

Mr. LAYARD in reply, said, that the attack to which the hon. Member referred, was not the act of the Turkish Garrison, but of a single soldier; and as that soldier had been punished for it, and every redress offered, he saw no advantage in giving the Papers in question.

INDIAN TELEGRAPH DEPARTMENT.

QUESTION.

Mr. WHITE said, he would, in the absence of the Secretary of State for India, ask the Under Secretary for that Department, If the re-organization of the Indian Telegraph Department, mentioned by him on the 13th March 1862, has been carried out; and, if so, why Mr. Galbraith, formerly the tutor of Sir William O'Shaughnessy's sons, has been promoted over the heads of officers of long standing in that Department; and if he is aware that the present system of Telegraphic communication in India is much complained of by the mercantile community and others, and if it would not be desirable to decentralize this Department, by placing the Telegraph lines under the control of the chief authorities of the respective Presidencies, as has been locally recommended?

Mr. T. G. BARING was understood to say that the re-organization of the Telegraph Department had been completed in consequence of the representations made by the mercantile community. With regard to the suggestion of the hon. Gentleman that the Telegraph Department in India should be decentralized, and placed under the local authorities, he had received no such suggestion from India, and he should say, that if there was one thing which required uniform management more than another, it was the Telegraphic Department. With respect to Mr. Galbraith, he might observe that he obtained his appointment in India in 1857; that he at first received, he believed, £300 a year, which had gradually been increased to £600, and that the last two appointments in his case had been made since Sir William O'Shaughnessy had left India. It was impossible, therefore, that they could be the result of his connection with that gentleman, nor was there any ground for the assumption conveyed in the hon. Gentleman's question with respect to Mr. Galbraith.

THE DOVER, OSTEND, AND CALAIS PACKET SERVICE.—QUESTION.

Sir STAFFORD NORTHCOTE said, he wished to ask the Secretary to the Treasury, When the Packet Estimate will be brought forward; whether any Contracts have yet been made for the Dover and Ostend and Dover and Calais Services, or whether those services are still open to tender; and what arrangements have been made for carrying on the Services after the 20th of June?

Mr. PEEL said, in reply, that he did not propose to bring on the Packet Estimate until after the Civil Service Estimates should have been disposed of. With regard to the Service between Dover and Ostend, the Treasury received some time ago a tender from the Belgian Government to perform that Service from the 20th of June. That offer was accepted conditionally on no funds being provided by Parliament for Mr. Churchward's contract beyond that date; and upon the passing of the recent Vote the Treasury informed the Belgian Government that they accepted the tender unconditionally. With regard to the Dover and Calais Service, they had the other day received from the South Eastern and the London, Dover, and Chatham Railway Companies an offer to perform that Service from the 20th of June next, for £6,000 a year; and they had accepted that offer.

Sir STAFFORD NORTHCOTE: What is to be the duration of that contract?

Mr. PEEL: It is to last for seven years.

CHANCERY FUND COMMISSIONERS.

QUESTION.

Mr. MURRAY said, he would beg to ask the Secretary of State for the Home Department, When the Chancery Fund Commissioners (appointed in February 1861) will be prepared to make their Report?

Sir GEORGE GREY, in reply, said, he had not been able to attend the late meetings of the Commissioners, but he had been informed that certain Resolutions had been agreed to by them, and that their Report was now being prepared. The Commission would expire on the 1st of August.

REGISTRIES OF DEEDS (IRELAND).

QUESTION.

Mr. BUTT said, he wished to ask Mr. Attorney General for Ireland, Whether it is his intention to bring in a Bill, during this Session, to validate the Registries of any Deeds in Ireland which may be invalid from technical defects, in accordance with the provisions contained in the Registration Bill which has been withdrawn?

Mr. O'HAGAN said, the provisions to which the hon. and learned Gentleman referred constituted only a portion of a larger measure which was meant to go beyond the correction of the errors of the past. He did not think it would be judicious to introduce a Bill to validate the Registries of Deeds, as suggested, save in connection with that larger scheme, especially as he hoped to be able to deal with the question next Session.

SCHOOL OF NAVAL ARCHITECTURE.

QUESTION.

Sir JOHN PAKINGTON said, he wished to ask the Secretary to the Admiralty, Whether the report that the Chief Constructor of the Navy has examined Apprentices and Factory Boys in Woolwich Dockyard, with a view to the establishment of a Government School of Naval Architecture, is correct; and, if so, whether the Admiralty contemplate the revival of a School of Naval Architecture for the Royal Navy, in preference to the combined action of the Admiralty and the private trade, which has been proposed?

Lord CLARENCE PAGET said, in reply, that Mr. Reed, the gentleman to whom the right hon. Baronet referred, had not received the title of Chief Constructor to the Navy, although he was intrusted with most important duties connected with ship-building. He had been sent to the dockyards with a view of preparing designs for ships of various classes, and not with a view of making inquiries as to a future School of Naval Architecture. But he (Lord Clarence Paget) might add that the Admiralty were making inquiries with a view to a future supply of Architects, not only for the Royal Navy, but also for the private trade of this country; and all their inquiries tended to the establishment of a mixed system of education rather than of one confined exclusively to the Royal Navy.

DISMISSAL OF VOLUNTEERS.

QUESTION.

Sir ROBERT CLIFTON said, he wished to ask the Under Secretary of State for War, If Commanding Officers have power, after the dismissal of Volunteers by them, to advertise such dismissal in the newspapers, and cause placards to be printed and circulated; and if he is aware whether any such case of advertising and placarding has lately taken place in the Metropolis?

The Marquess of HARTINGTON said, in reply, that Commanding Officers ought, according to usual military practice, to insert in the regimental orders any sentence of dismissal and the causes for which it had been pronounced, and such regimental orders ought to be made known to all the members of the corps. He was aware that it was the practice of some metropolitan corps to publish their regimental orders in the newspapers as advertisements, and to place them in the shop windows as placards. Without entering into the question of the expediency of adopting such a mode of publication, it appeared to be certain that a Commanding Officer was justified in giving the ordinary, and no more than the ordinary, amount of circulation to orders which contained sentences of dismissal, accompanied by a statement of the causes thereof.

Mr. DARBY GRIFFITH said, he would beg to ask the noble Marquess, whether, as the Volunteers Bill passed through Committee on the Ascot Cup Day, when many hon. Members were absent from the House, it would not be desirable to postpone the Report until some day next week?

The Marquess of HARTINGTON said, that the Report was fixed for to-morrow evening; and as it was important that the passing of the measure should not be delayed, he should, if possible, proceed with it on that day.

RULES OF DEBATE — PUBLIC WORKS (MANUFACTURING DISTRICTS) BILL.

Mr. HENNESSY said, he rose to call the attention of the House to an occurrence which took place at the close of the last sitting—that was about half past two o'clock on Saturday morning. At that time there were only thirteen or fourteen Members in the House. Leave to introduce an important Bill—a very important Bill—was then moved for by a Member of the Government. He found in the "Votes and Proceedings" of the House the following entry—

> "Public Works (Manufacturing Districts),—Bill to facilitate the execution of Public Works in certain Manufacturing Districts; and to authorize for that purpose advances of Public Money, to a limited amount, upon the security of Local Rates; and to shorten the period for the adoption of the Local Government Act, 1848, in certain cases."

He also found recorded that this Bill was "ordered to be brought in by Mr. Villiers and Mr. Chancellor of the Exchequer." When the Motion was made for leave to bring in the Bill, he (Mr. Hennessy) addressed some questions to the Government with reference to the necessity of advancing public money for public works in Ireland. No Member of the Government answered his questions—but that he passed by without comment. Leave having been given, the next Motion which was put to the House was "That Mr. Villiers and Mr. Chancellor of the Exchequer do prepare and bring in the Bill." He rose to make observations upon that Motion, but he was stopped by Mr. Speaker, who said that he would not be in order in addressing the House on that occasion; and bowing to the decision of the right hon. Gentleman, he resumed his seat. He might mention to the House, as some excuse for the course he was taking, that not only the people of Ireland generally, but his own constituents in particular, took a very lively interest in this subject. Within the last few weeks reports had been sent to the Treasury, recommending an outlay of £280,000 upon public works in Ireland. It so happened that the recommendation was that that money should be spent in the King's County, and he had received from his constituents day after day urgent letters asking him to make inquiries as to these works, and to ascertain what course the Government intended to take upon the subject generally. He humbly submitted that when the Motion was made that the Bill should be brought in by Mr. Villiers and the Chancellor of the Exchequer, it was perfectly competent to him to move either, for instance, that another name should be added to these, or that instructions should be given to these Gentlemen to do something not in the original Motion. He need not refer to the authorities which he held in his hand; it was enough to say, that as far as these two Motions went, the Orders of the House were perfectly explicit and distinct. Further than that, there were precedents going this length, that that Motion had actually been made for the purpose of raising a debate, and he had seen in *Hansard* a record of a debate on such a Motion, in which no less an authority than Earl Russell, as well as other Members of the House, took part. He would confine himself to this simple statement; but it was a matter of the utmost importance to Ireland that a decision should not be come to upon this Bill without her claims being considered. He now raised no point upon the fact that this was a Bill to authorize the advance of money upon local rates, and that it was the first time that such a Bill had been introduced without a Resolution of a Committee of the Whole House:—he confined himself to respectfully asking the Speaker, whether he was not, under the circumstances, at liberty to make observations upon the Motion to which he had referred?

MR. SPEAKER: In answer to the Question which has been put to me by the hon. Member, I must, in the first place, assure the House that my desire is to conduct the business of the House with perfect regularity, even to the last moments of its sitting—which, at a late hour of a morning, after sittings of ten or eleven hours, it is not quite so easy to do as it is earlier in the evening. On the occasion to which the hon. Gentleman has referred the hon. Gentleman has mentioned that at half-past two o'clock on Saturday morning the right hon. Gentleman the President of the Poor Law Board rose to ask leave to bring in a Bill, a description of which he has given. It was then so late that the right hon. Gentleman said he would not attempt to enter into any description of the Bill. However, questions were asked, and especially the hon. Member for Devonport (Mr. Ferrand) asked for certain information. I was so far from desiring to restrain discussion that I was rather out of order in allowing the hon. Member for Devonport to address the house, I think, three times in enforcing his request upon the Government. After the last explanation the hon. and learned Member stated that he was perfectly satisfied. The hon. and learned Member for the King's County (Mr. Hennessy) also raised a question, and it appeared to me that, so far as discussion went, the matter was closed. The Question was put "That leave be given to bring in the Bill," which was agreed to without any observation. Then the President of the Poor Law Board having passed almost down the House, I called to him for the names of the Gentlemen who were to bring in the Bill. The names were given; and on that occasion the hon. Member for King's County rose and proposed to address observations, as it appeared to me, on the general subject-matter of the Bill. Now certainly, during the years that I have had the honour of occupying the chair, no such question has ever been raised upon the names of the Gentlemen who are to bring in a Bill. The hon. Member has been so good as to place in my hands, just as I was going to the House of Lords to be present at a Commission, a case which he considers to be a precedent. This is a case which occurred in the year 1852 upon the Militia Bill, when Lord John Russell having brought in the Bill, and the noble Lord now the Prime Minister having moved and carried an Amendment upon it, the noble Lord who introduced the Bill declined to proceed further with it; upon which a discussion arose as to who should bring in the Bill. No doubt, upon that occasion a discussion arose, the original introducer of the Bill having declined to proceed further with it; but that case certainly would not in any way apply to the occurrence of the other morning. At the same time, I should state that in earlier days questions have arisen upon this Motion. Those questions have generally been as to the addition or substitution of a name; but, as far as my present information goes—I do not pretend to speak with positive accuracy, having had no opportunity, except since I came to the House, of examining into the question—my opinion is that, with regard to all recent practice, any discussion arising upon the names of the persons who should bring in the Bill should be confined to the question who those persons should be, and should not involve a general discussion upon the nature of the Bill. At the same time, I beg to assure the hon. Member that there was no desire on my part to restrict any legitimate opportunity for discussion, and I think the House had evidence of this in the fact to which I have already mentioned—that on the occasion adverted to I allowed an hon. Member to address three speeches to the House.

Colonel FRENCH said, he wished to know how the matter was to be decided for the future. According to the Rules of the House, no debate could arise upon reading a Bill for the first time, or on the Motion that it be printed; but it seemed still doubtful, from the answer given from the Chair, whether a debate may not be raised on the appointment of the Members to whom the Bill was to be given in charge.

ADMISSION OF CASUAL POOR TO WORKHOUSES.—QUESTION.

Viscount RAYNHAM said, he wished to put a Question to the President of the Poor Law Board; and in order to enable himself to make a short statement, he would move the Adjournment of the House. A few years ago he had had the honour to move for a Select Committee to consider the mismanagement of the London workhouses. Yesterday afternoon, as he was passing through Oxford Street, he saw a poor woman and four children apparently in a state of utter destitution. He told her that St. Marylebone workhouse was the nearest place of shelter, and that he would follow her there in half an hour. Accordingly he went, and on arriving at the workhouse found the woman and her family standing outside in a drenching rain at the door. He knocked, and asked why they were refused? He was received in a most insolent manner, and he was told by the master, that if he did not leave, he would be turned out forthwith. He did leave; but returned, and on passing his card through the *grille*, he was admitted, and treated rather more civilly; but the master refused to take in the woman and her children. Under these circumstances, he wished to ask the right hon. Gentleman, Whether the authorities of any workhouse whatever had a right to deny admittance to any destitute person so long as the casual ward was not absolutely incapable of containing any more persons? At the same time, he wished to say that the casual wards were places in which no gentleman would like to place his dog. He begged also to give notice that he would to-morrow move for leave to bring in a Bill to improve the condition of the casual poor in the workhouses of the metropolis.

Sir HENRY WILLOUGHBY, in seconding the Motion, observed that the introduction of the Bill by the President of the Poor Law Board on Friday night involved a most important question, and that was whether such a measure ought not to have been introduced in a Committee of the Whole House. He did not think it right that important Bills of that description should be introduced at two o'clock in the morning, when only thirteen or fourteen Members were present. He wished also to ask the Chancellor of the Exchequer, whether a Bill involving a grant of public money on the security of the local rates ought not to be introduced in a Committee of the Whole House?

Motion made, and Question proposed, "That this House do now adjourn."

The CHANCELLOR of the EXCHEQUER said, his right hon. Friend the President of the Poor Law Board had made the usages of the House a subject of particular inquiry before introducing the Bill, and the answer obtained, from competent authority, was that the proceeding he contemplated was perfectly regular. His right hon. Friend consulted him as to the expediency of that course, and he certainly was of opinion that, on the whole, it was the course most expedient, if it were allowable. Had the plan of proceeding upon a preliminary Resolution been adopted, the House of Commons must have been asked in the first instance to bind itself to a particular sum which could not be exceeded (which in that instance he was not prepared to do), or else the circuitous measure would be adopted of moving for a fresh Committee to enlarge that sum after the Bill had been introduced. It was not easy for the Government to say beforehand what sum would be required; but they expected to derive valuable information upon this point from the discussions upon the measure which must take place both in and out of Parliament. Instead, therefore, of laying down rigidly the precise amount of public money required, it was thought more judicious to obtain from hon. Members and local representatives information as to the amount that would probably be required.

MR. FERRAND asked, for what day the President of the Poor Law Board intended to fix the second reading of the Bill?

MR. C. P. VILLIERS said, that he had already stated that he proposed to take it on that day week. It was not necessary to submit the question to a preliminary Committee, because the Bill did not impose any fresh charge upon the Exchequer; it only authorized the Exchequer Loan Commissioners to advance monies which were already in their possession. With regard to the question of the noble Viscount (Viscount Raynham), he could only say, that as the noble Lord had given him no notice of it, he could give him no information as to the case. He submitted to the noble Lord, however, that the proper quarter to apply to in the first instance was the Poor Law Board. If he could not obtain redress there, it might be very proper afterwards to call the attention of the House to the matter.

Motion, by leave, *withdrawn.*

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

EDINBURGH BOTANICAL GARDENS—OPENING ON SUNDAYS.

RESOLUTION.

MR. GREGORY rose to move a Resolution—

> "That, in the opinion of this House, the Royal Botanical Gardens of Edinburgh should be open to the Public after the hours of Divine Service on Sundays, as is the case of other Botanical Gardens supported by Parliamentary Grants."

It might be asked why this subject had not been brought forward by one of the representatives of Scotland? His answer was, that if the Question could be decided by a vote by ballot of the Scotch Members, he felt certain, from information he had received, that it would be carried by a large majority. It was not pleasant, however, for any hon. Member connected with a Scotch constituency to offend a section of his supporters, even though it might not be a large one. If the question were one of primary importance, he had that confidence in the public spirit of hon. Gentlemen from Scotland, that he felt sure they would not hesitate to take the course which seemed to them to be right; but they could not be expected to run counter to the wishes of a considerable section of their constituents in a matter of such comparatively small consequence. The reason why he brought the subject forward was, because two years ago he had been successful in a similar Motion with respect to the Gardens at Glasnevin, near Dublin, and he had therefore been requested by many of the inhabitants of Edinburgh to take up their case. He had no reason to complain of any attack made upon him by the Scotch laity in consequence of the notice he had given; but some of the Scotch clergy had used rather strong language respecting his Motion, which deserved a place amongst the amenities of theological literature. The Rev. Dr. Begg, in a recent speech, for instance, had stated that it was a very painful thing to have the Scotch Sabbath interfered with by the representative of an Irish Popish constituency—by a representative of "one of the most degraded Popish communities in the world." He could only say in reply that he hoped that Dr. Begg would learn to display a little less of the zeal of a theologian, and a little more of the graces and the gentleness of a Christian. In 1861 a demand was made by the working classes of Dublin for the opening of the Glasnevin Botanical Gardens on Sundays. It was violently opposed. The predictions were sinister indeed. It was asserted that large numbers of persons would rush over the grounds in a state of drunkenness, and destroy everything. At the same time he was told—for the opposition, as the sailors said, blew from all points of the compass at once—he was told that no one would go to the Gardens at all on Sundays. With regard to the first allegation, he was glad to say, that so far from any damage having been done, the working classes, as they would always do when they were trusted, had constituted themselves the guardians of the public property; and not a single shrub or plant had been injured. He had seen letters from Mr. Moore, the curator, and Captain

Lindsay, the resident magistrate of the neighbourhood, stating that the step of opening the Gardens had fulfilled their most sanguine expectations; that the conduct of the people had been most orderly; and that it was likely to be of material service to the cause of morality and religion. With regard to the second allegation, that the working men would not go to the Gardens, he would only quote one or two figures. In 1861, the year before the Gardens were opened on Sunday, the whole number of visitors was only 39,800. In the first ten months after the opening on Sunday the number had increased to 226,763. Strange to say, the number visiting the Gardens on week days had also increased, for they amounted in the same ten months to 43,220. The fact was, that until this Sunday afternoon opening the gardens were virtually unknown; but the people who went there told their friends, a taste for flowers sprang up, and the gardens had in consequence become a great attraction to the poorer citizens of Dublin. With respect to the Edinburgh Gardens, the working people of that city, having seen the advantage of opening the Glasnevin Gardens, had presented a Petition signed by 14,000 of their body, praying that their Gardens also might be made accessible to them after the hours of Divine Service. They stated they were chiefly working men, whose labour and domestic duties left them no opportunity to visit the Gardens on week-days. They quote the decision of the Select Committee of the House of Commons in 1854—

> "That it was expedient that places of rational recreation and instruction, then closed, should be open to the public on Sunday after two o'clock."

And they added—

> "No kind of recreation or instruction can be more rational than that derivable by working men and their families from visits to such places: not only will they thus be led to take wholesome exercise in the open air, but their tastes will be elevated, their knowledge of the works of nature increased, and their devotional feelings nourished and stimulated."

To this a counter Petition against the Bill had been got up by a Society calling itself "The Sabbath Alliance." It stated that to open the Gardens would involve a violation of the Divine law, which forbade men from doing their pleasure on the Sabbath Day; that it would be the beginning of a series of alterations ending in the opening of the theatres on Sundays; and that as the Gardens were already opened on Saturday evenings, the working classes had no occasion to go to them on Sunday. Exactly the same objections had been urged by the opposition in Dublin, and they had a much better case, for the Glasnevin Gardens were largely supported by private funds, whereas those at Edinburgh were wholly kept up by the public money. He had no intention to go into the theological question; but if it be a violation of divine law to have rational amusement on the seventh day, he would only say that the principle had been repeatedly sanctioned by the Legislature. Successive Ministries and Votes of the House of Commons had permitted the opening on Sundays of Kew Gardens, Hampton Court, and other places. The future King of England did not entertain those opinions; as only a few Sundays previously he and the Princess visited the Zoological Gardens, and no doubt he took his pleasure in that most interesting collection of natural history. And with regard to the objection, that if the Gardens were opened, theatres too would come to be open on Sundays, it would be sufficient to say that not a single Petition had ever been presented to the House in favour of such a proposition; and when such a request was made, it would be time enough to deal with it. He wished to ask the gentlemen of the Sabbath Alliance why it was that every single Park frequented by the higher classes in Edinburgh was open on Sunday, whilst these Gardens were closed? The Gardens of Edinburgh might be divided into three classes: those belonging to local proprietors or associations; those belonging to the City itself, represented by its corporation; and those belonging to the Crown. Of the first class of these Gardens—such as West Prince's Gardens, Regent Terrace, Royal Terrace, and others—no less than six were open to the higher classes who could pay, while on religious grounds the Botanic Gardens were closed to the lower classes who could not. As a very ably-written Scotch paper, *The Scotsman*, remarked, this is much worse than compounding for sins we are inclined to, by damning those we have no mind to; for this is compromising for the recreations we perpetrate by forcibly disabling others from doing likewise. Now, there had been presented to the House Petitions in favour of opening the Gardens, signed by working men to the number of 35,800, and the petitioners declared that they were ready to have the

Petition analysed and signatures tested, for they were perfectly *bonâ fide.* On the other hand, a Petition was presented, signed by 63,000 of the people of Edinburgh. But he (Mr. Gregory) had been credibly informed that this Petition was signed by women, by children, by whole schools of young people, and that the pressure put upon these children was such that they were compelled to sign, without knowing, in the slightest degree, what it was they were signing. [The hon. Gentleman then read letters which he had taken pains to authenticate, and which gave instances of girls of fourteen, ten, and eleven years of age being asked to sign, and, upon their refusal, being turned out of the school and told never to come their again.] In one instance the writer's stepdaughter was called upon by the lady teacher to sign the Petition, and, upon refusing, was ordered to leave the school and not to return. Two other girls were turned away from the same school for not signing. Another correspondent said that on the 26th of April his youngest sister, ten years old, went to the Sunday School. Immediately after school was over the teacher produced a Petition against opening the Gardens on Sunday, and requesting the girls of the class to put down their names, which was done by some of them. A working man wrote to say that his daughter, a girl of between ten and eleven, was attending the Sunday School as usual; and when school was over, the lady teacher produced a sheet, and asked the girls to sign. The writer's daughter refusing, she was turned out of doors, and ordered never to come back. He believed that a very large proportion of the signatures were those of women and children, whereas the whole of the 35,800 petitioners who signed in favour of the opening might be tested. One of the arguments used against the opening of these Gardens was that it would lead to drunkenness. Now, with regard to drunkenness, he had witnessed the scenes which took place in the streets of Edinburgh. It was a most painful sight, and such as he believed could be seen in no other cities in the world, except, perhaps, Glasgow. Two things were clear. It was very certain that Scotch asceticism in the observance of the Sabbath produced no effect in diminishing the prevalence of drunkenness. Another thing was also clear, that where recreation had been placed within reach of the working classes, their amendment in this respect had been very conspicuous. Since the opening of Kew Gardens the amount of drunkenness in the neighbourhood had diminished; and Sir Joseph Paxton, in giving evidence before a Committee in 1854, stated that some 500 or 800 persons frequently came on Sundays from Sheffield to go over the house and grounds at Chatsworth. They used to go to the public-houses to put up their horses, but they never sat there sotting and drinking. About ten years ago the Duke of Devonshire closed the gardens at Chatsworth on Sunday. Nearly the same number of people used to come from Sheffield; but not having the gardens to resort to, they were driven to frequent the public-houses, and great disturbances arose. Representations were made to the Duke, who re-opened the gardens on Sunday; the disorders ceased, and now it was found necessary to employ no more than two persons to look after the grounds on Sundays. This was a question of something more than a mere opening of gardens; the question was, would the House of Commons sanction the principle that a number of men—granted a majority—should impose what he would call pains and penalties upon a minority? No man was more ready than he was to make every allowance for conscientious feeling; but there were people in the world, possessed of ideas peculiar to themselves, who were desirous of gratifying the indulgence of those ideas by doing certain acts, or by imposing certain restrictions upon others, which involved the infliction of pains and penalties. He hoped there was nothing in the nature of Scotchmen which unfitted them for the recreation which was to be derived from surveying the works of nature to a greater extent than their brethren in England and Ireland. He now begged to move the Resolution of which he had given notice.

SIR JOHN SHELLEY seconded the Motion.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the Royal Botanical Gardens of Edinburgh should be open to the Public after the hours of Divine Service on Sundays, as is the case of other Botanical Gardens supported by Parliamentary Grants,"—(*Mr. Gregory,*)
—instead thereof

THE LORD ADVOCATE said, he did not blame the hon. Gentleman for bringing the subject forward; but it was a significant fact, that both the Members for Edinburgh and the other Scotch Members had abstained from doing so. He was quite certain the votes of those Members would not be recorded in favour of the Motion. If it were the fact, as the hon. Member supposed, that the feeling of their constituents was so strong that they would vote one way because the division would be known, and would vote a different way if a ballot were employed, then the Government had acted very wisely in deferring to a public feeling which was so powerful in Scotland. He (the Lord Advocate), however, thought that both his hon. Colleague (Mr. Black) and himself had given sufficient proof of their independence, because it was not so long since they had voted in the majority upon the division on Maynooth—a question upon which there was a very strong feeling in Scotland. He was prepared to say, for all the Scotch Members, that they were not men to be driven or dragooned into voting on any question in a way they did not approve, even though their constituents might have a strong view upon the matter. A parallel had been drawn between the case of the Gardens at Dublin and those at Edinburgh. But the case of Edinburgh was the converse of Dublin in every respect; and the course adopted by the Government in this case was the same in principle as that pursued in the Glasnevin case, though it led to a different result. The Gardens in Dublin belonged to a society, and were open to the 1,500 members of that society, not merely on the week days, but on Sundays also. A Petition was presented to the Department of Science and Art, or to Parliament, praying that the Gardens might be open on the Sundays, not only to the members, but to the public generally; and it seemed, according to the statement made by the hon. Gentleman, that a minority of 6,000 inhabitants of Dublin petitioned against the opening of the Gardens in Dublin on Sundays, though they were quite willing that they should continue open to the 1,500 members of the society. Therefore, in that case, a large majority were on one side, and a minority on the other. Beyond this, the hon. Gentleman stated that the inhabitants of Dublin had no other place for recreation or for the enjoyment of the fresh air on a Sunday. The case with regard to Edinburgh was the converse in almost every respect; and while regretting that without sufficient cause there should be raised in that House questions with respect to which great diversity of opinion in a religious point of view prevailed, he felt quite certain that there never was more slender ground for a Motion like the present than that which existed in the case of the Edinburgh Botanical Gardens. Those Gardens were attached to the Professorship of Botany in the University, and were strictly botanical. They were never intended for public promenade; they were laid out in a scientific manner; they amounted to eighteen acres in all, and were situated a couple of miles beyond the residence of the greater part of the working classes of Edinburgh. He appealed to his hon. Friend and Colleague, to the Member for Bute, and to hon. Members acquainted with Edinburgh, to say whether there was any ground for believing that opening these Gardens at four o'clock or half past four on the Sunday would be of any appreciable advantage to the working classes of Edinburgh. He admitted, that if this question arose with regard to a crowded community, where the artisans worked from week to week without the opportunity of breathing the fresh air or seeing the green fields, it would then arise under circumstances different from the present; but in Edinburgh there was no lack of fresh air for the working classes, who had immediate access to the country from all parts of the city. Instead of going a couple of miles to the eighteen acres of Botanical Gardens, the working classes of Edinburgh could, in five minutes, get into a solitude as wild as any in the heart of the Highlands, and into the midst of scenery not to be surpassed in any part of the United Kingdom. They had at their command spots for recreation beyond the inhabitants of any other city with which he was acquainted; and in the time they would take to get to the low level of the Botanical Gardens they might roam over Arthur's Seat, and ascend to the top of high hills, and see the view described in Marmion. Therefore there was no ground, so far as public necessity was concerned, for the Motion of the hon. Gentleman. He would not go into the general question as to the observance of the Sunday, further than to say that it was notorious that in Scotland, as in England, diversity of opinion prevailed in respect to it; and it was exceedingly undesirable to raise discussions in the House of Commons leading to the irritation which generally accompanied controversies on such points. However, public opinion in Scotland was clear in regard to this particular case, that there was no ground for giving offence to the many who maintained strict views on the observance of the Sabbath. He was not going to enter upon matters connected with the Petitions which had been presented, though a good many letters had been addressed to him with regard to the Petition to which the hon. Member alluded as proceeding from the working men of Edinburgh. These accusations were often made by both sides. The general ground on which he thought the Government justified in not entertaining the proposition to throw the Gardens open on Sundays was simply that by so doing they would give offence to a large portion of the community, and he thought that there existed no public advantage in raising the question. The hon. Gentleman said that the principle should be maintained that the majority should not coerce the minority; but it was also to be observed, that when a large body of people held a thing to be matter of principle and conscience, and another body held it to be a matter of indifference, it was reasonable that those who held it to be indifferent should give way. He would not discuss whether the Scotch or the English way of spending Sundays most tended to sobriety and morality; but it would be difficult to show that there was any connection between drunkenness in Scotland and the mode of keeping the Sabbath there. On the contrary, he thought that those who spent the Sunday in the way in which the majority of the Scotch people thought right were not those who drank the most or figured chiefly in the police reports. On the part of his constituents, and of the working men of Edinburgh, he expressed a hope that the House would support the Government, and not allow this question of controversy and irritation to be opened.

MR. STIRLING hoped that the Government would not oppose this very reasonable proposition. He should like to hear some better reason given why that which was right at Glasnevin and Kew must be wrong at Edinburgh. He begged to tender his thanks to the hon. Member for Galway for having brought forward this question. The right hon. Gentleman (the Lord Advocate) opposed the Motion by asserting, broadly and simply, that public opinion was opposed to the proposal; but he wisely declined entering into a criticism respecting the Petition. But the House should bear in mind that the Petition from Edinburgh, for opening the Gardens on Sundays, was signed by upwards of 35,000 adult males, while the contrary Petition, with 63,000 names, bore the signatures of many women and children; and of all the instances of scandalous Petitions he had heard of in that House he had never known one more scandalous. It was all very well for the right hon. Gentleman to say that he had his pocket full of letters against the Petition for opening the Gardens on Sundays; he (Mr. Stirling) had also received numerous letters, and as a stimulus to induce the right hon. Gentleman to produce his, he would trouble the House with one or two on the other side, the value of which he taken means to test. One writer said—

> "When the person intrusted with the Petition against the opening of the Gardens called and requested my signature, I replied that I had already signed one of the Petitions, without stating which. He, believing that I had signed a Petition against the opening, said, 'Oh, never mind, sign again; we want as many signatures as possible;' whereupon I undeceived him by stating that I had signed a Petition in favour of the opening."

Another writer said, that being out at the time when the Petition was brought to the door, his sister signed; and although she knew that his sentiments were adverse to the tenour of the Petition, she added his signature, saying, "I know my minister is against the opening of the Gardens, and therefore I cannot be wrong in adding my brother's name to the Petition." If the teaching of that minister inculcated such doctrines as that, it must be of a very questionable character; and it would be ludicrous, if it were not painful, to see the means by which people, excellent in their way, sought to bolster up their own interpretation of one of the Divine Commandments by breaches of several of the rest. He would not trouble the House further with stories about the schools. He could use no other terms in reference to the conduct of those who maintained them, than that it was scandalous, and that by inducing little children to support their own peculiar prejudices, they were striking at the root of all which they professed to teach in those schools. The right hon. Gentleman, with the plausibility and pleasantness of manner which always distinguish him, told them that the public opinion of Edinburgh was unquestionably against the Motion of his hon. Friend. He held in his hand a Petition followed by four octavo pages full of names of men of position and men of science, citizens of Edinburgh. The list began with Lord Dunfermline, Sir J. M'Neill, Professor Playfair, and a number of professors, and contained also the names of a few of the clergy, and many of the most respectable shopkeepers. The list contained the names of the best people of Edinburgh, and he challenged the right hon. Gentleman to produce a list equal in number and eminence against the Motion. One thing, with regard to public opinion, he must admit, and while he admitted it he greatly regretted it. A large majority of the clergy of all denominations in Scotland were against the Motion, and they were supported by those who took part in the Ecclesiastical Assemblies. But, he ventured to say, with all respect to the clergy, and to those lay persons with ecclesiastical tendencies, that they did not represent the intelligent opinion of the laity of Scotland. He could give an instance in what occurred not many days ago in the Assembly of the Free Church of Scotland. A rev. gentleman, well known in Scotland, brought before the Assembly the fact that Her Majesty had erected on one of the hills near Balmoral a monument to the late Prince Consort. Upon that monument Her Majesty had caused to be inscribed a few touching words taken from the Wisdom of Solomon —words which, no doubt, had some tender association with the illustrious Prince, whom the monument was intended to commemorate. This rev. gentleman, in the course of a long speech, brought those words before his brethren, and maintained the proposition, which he thought would not be entertained with much respect in that House, that because the words were taken from the Apocrypha, Her Majesty seemed to imply that the Apocryphal book was of equal authority with the Holy Scriptures. He did not wish to misrepresent the rev. gentleman, and as there might be some doubt of his accuracy, he would like to read the very words. The words occured at the close of the rev. gentleman's speech. He had already spoken of the inscription as a Popish inscription, and he said, "Scotland cannot but regard these words as an offence to the Bible which Scotland loves, and to the religion which Scotland has inherited." He was sorry to see, by the report of the speech, that this rev. and frantic divine was interrupted by several marks of applause, and, as far as he saw, he certainly departed from the Assembly without receiving the rebuke which his language and logic deserved. His hon. Friend the Member for Greenock (Mr. Dunlop), whom he saw in his place, rose immediately after the rev. gentleman, and did not endorse the sentiment; but there was no one present who made any reply. Were they to understand that reasoning such as that was to be held to be a fair specimen of the opinion of the laity of the Free Church of Scotland? Unquestionably not. Until he was informed by his hon. Friend the Member for Greenock, or some one of equal authority, that the laity of the Free Church held such opinions, he should not believe it. The truth was, that in Scotland, as in other countries, the clergy were obliged to do a good deal of the public speaking; and the consequence was, that they spoke their full share of nonsense. But even were it not so, he was happy to think that upon this particular subject, even in these ecclesiastical assemblies, a better spirit was rising. In the Free Church Assembly, of which he had spoken, a highly-esteemed Gentleman, the late Member for Edinburgh, in a very sensible and excellent speech, opposed the Petition against the Resolution of his hon. Friend, and said he was not of those who saw any outrage upon the feelings of Scotland in opening a garden to walk in after church. In the Assembly of the Established Church one of the most able of the younger ministers of the Church supported a Motion in favour of this Resolution. He hoped, therefore, that public opinion upon this subject would gradually change, and that what appeared to be a minority would very soon be a majority. The only other argument which he saw much mentioned by those who opposed this Motion, was that it would entail labour upon the men employed in the Gardens. The staff of labourers was about twenty-five, and those who contracted not to labour on Sundays would probably not be asked to do police duty in the Gardens when the public were admitted. But he believed that three or four men were at present employed on Sundays in the Gardens, and that they would be quite sufficient for the purpose. Even if a few more should be required, he thought that such a boon as that of opening the Gardens to some 30,000 toil-worn men would justify their employment. At all events, if men, who now worked in the greenhouses and other parts of the Garden on Sundays, should feel their consciences injured by having to see that the public did no damage to the walks and beds, there would be no difficulty in supplying their places with others. The only remaining point which he wished to ask the House to consider was this:—With what face could they refuse permission to the working classes to walk in Gardens for which they paid after they had expressed a desire to do so. He had the honour to be acquainted with many persons, both in Scotland and England, who belonged to what was called the religious world, and with many others, who, whether they desired to be ranked in that regiment or not, were sincerely and truly religious. Did he find that in their country houses on Sundays people were taken into a room, with the blinds down, and there compelled to read and meditate entirely upon theological questions? That was not his experience. He would say that on Sunday afternoons, the very period of the day referred to in the Resolution, was exactly the time devoted to lounging and harmless sightseeing—when the conservatories, the stable, the garden, or the kennel were visited by persons whose lives and conversation would be admitted to be models for the rest of their neighbours. How could those who possessed these things by accident and fortune, rather than from any merit of their own, and who enjoyed them on Sundays, say with any face to the poor man claiming his small share of public institutions, "We are sorry for you; we have received your Petition, and while we enjoy our own gardens on Sunday, our respect for the Sabbath is such that we must refuse your request?" He would only add that he hoped his hon. Friend would persevere with his Motion, and that what had been done at Glasnevin and Kew would also be done at Edinburgh.

Mr. GRANT DUFF: Sir, I wish to say a word or two on this question, especially as I cannot on this occasion conscientiously vote with my right hon. Friend (The Lord Advocate), whose lead upon Scotch matters I am generally proud to follow. It seems to me that we have nothing to do with the motives of those who raised this Botanic Garden controversy. They may be right, they may be wrong; we have only to decide how a dispute should be settled which others have had the responsibility of commencing; and, I confess, I do not see how it can be settled except in the way in which such controversies have been settled in, to the best of my belief, every other capital in Europe. These gardens must be opened, if only for the sake of peace and quietness. The party which desires to open them is a great and growing one; it comprises a large portion of the intelligence of the country. It increases with every new facility for communication, with every step in the advance of real civilization and the diffusion of knowledge. Who are those who are opposed to the opening? They may be divided into three classes—First, there is a large body of people who do not go very deeply into this particular controversy, but who have a general idea that by opposing the opening of these gardens they are taking the side of religion. I wish to speak of many of these people with the greatest respect. Their ranks include a large number of persons of the type alluded to by one of the greatest of English poets, when he speaks of—

> "Choice word, and measured phrase,
> Such as grave livers do in Scotland use—
> Religious men, who give to God and man their
> dues."

We should deal gently even with the prejudices of such men; but even their prejudices will, when a short time has passed, not be offended by seeing their neighbours walk in the Botanic Garden, any more than they are now offended by seeing them walk in those of Princes Street. Secondly, you have, undoubtedly, a certain number of persons who really have violent and bitter opinions upon this Sunday question, but they are not numerous—far less numerous than is generally supposed. It is useless to point out to those men that the high Sabbatarian doctrine which is popular in some circles, north and south of the Tweed, was invented by the very persons whom they most abhor—by the Roman Canonists—and was, perhaps, more the work of the great Spanish Doctor Tostatus than any other man. It is useless to assure them that Luther abhorred it, that Calvin describes it in words fierce and bitter after his fashion, as "*crassa carnalisque Sabbati superstitio*. It is useless, I say, to argue with them; but it is not a small knot of impracticable men who can be allowed to govern the legislation of the country. But I am afraid that, in addition to these two classes of which I have spoken, there is a third, with whose apparent zeal is mingled a great deal of selfish calculation. There are persons who feel, that if the whole truth on this and other subjects is distinctly to be told to the people, the virtual leadership of the people will pass into other hands than theirs. These men know the susceptibilities of their countrymen, and practise on them, making them the lever of their own ambition. I never yet heard of a country where there was too much real religion, and assuredly if there ever was a country where the religious sanction was needed to supplement the efficacy of other sanctions, that country is Scotland. If any one doubts what I say, I commend him to the study of that most interesting, but also most grim and grisly book, *Chambers's Domestic Annals.* If, therefore, I thought that the proposal of the hon. Member for Galway would have the very slightest effect in diminishing the amount of religion in Scotland, I would certainly oppose it; but as I feel certain it will have an opposite effect, I have no choice but to follow him into the lobby. In doing so, I shall only take the same line which was taken a few days ago in the General Assembly of the Established Church, by some of the most distinguished ecclesiastics connected with the district of country with which I am best acquainted, and which I am well assured will be in my own constituency approved by many, acquiesced in by more, and resented by few or none of those who have hitherto honoured me with their general support and confidence.

Mr. BLACK said, it was not a pleasant thing to be called upon to pronounce a decision upon a point involving a difference of opinion between one's constituents, especially when that difference turned upon a small matter. He felt it, however, to be his duty to record his Vote against the opening of the Gardens in question. They occupied but a very limited spot of ground, set apart for the botanical class, and it was only between the hours of Divine Service that it was proposed to leave them open. Now, as Divine Service occupied from eleven till four, and was continued at eight, it was only between four and eight that advantage could be taken of the Gardens; and in winter, when the days were so short, there would be hardly any time to resort to them at all. Under these circumstances, much as he was in favour of giving the working man access to free air, he did not think it would be expedient to go in opposition to the feelings of the people of Edinburgh — whose sentiments were, he could from his own knowledge state, opposed to the proposition of the hon. Member for Galway — more particularly as few cities were better provided with places of recreation than Edinburgh, where, if a man stood in need of fresh air, he might obtain it more easily by going to some other quarter of the town, than by betaking himself to the Botanical Gardens. Scotland, he might add, was a Presbyterian country, and all the children, at all events, of religious families there were indoctrinated with a catechism which taught a very strict observance of the Sabbath, so that a large portion of the community would respect it, in accordance with their opinion, whatever course Parliament might take. Whether this was a prejudice or not, the feeling of the Scottish people was opposed to the opening of the Gardens on Sundays, and he should vote against the Resolution.

Mr. KINNAIRD said, that although he had the honour of representing a Scotch constituency for many years, he did not recollect that any one of his constituents had ever urged upon him the propriety of opening the question which the hon. Member for Galway had brought before the House; nor had he ever been requested to present a single Petition for opening public places of this description in Scotland on Sunday; whereas he had presented many Petitions against their being opened. In his belief, the fact was, as had been stated by the Lord Advocate in his able speech, a majority of the people of Scotland had a very strong feeling in the opposite direction; and on this, if on no other grounds, he thought they ought to reject this proposition. There could be no doubt, indeed, that whether rightly or wrongly, the opinion prevailed very generally in the country, that if the Motion of the hon. Member for Galway were carried, the decision would be adverse to the views of the great majority of her people. His hon. Friend had alluded to the fact that drunkenness existed to a great extent in Scotland; but he was happy to be able to state, from a Return which he held in his hand of the number of persons who had been found drunk in the streets of Edinburgh between eight o'clock on Sunday and eight o'clock on Monday morning, and been taken to the police office, that while in the six months ending March 31 in the year 1854 the number was 173, it had fallen in 1862 to 39, and in 1863 to 23. He regretted to hear his hon. Friend the Member for Perthshire call Dr. Candlish a "frantic divine," and hoped that on reflection he would withdraw an expression which was in itself offensive, and ought not to be applied to a man who had rendered such eminent service as had the rev. Gentleman referred to.

Mr. MURE trusted that the House would deal with this question on the broad practical ground on which it had been placed by his right hon. Friend the Lord Advocate, with whom he entirely concurred that the great preponderance of the feeling of the thinking people and of the working classes of Scotland was against the opening of these Gardens on Sunday. Many of the Petitions which had been presented to that House had, no doubt, been very irregularly obtained. He had been informed by an Episcopalian clergyman that in one instance he stood by a table on which a Petition in favour of the opening of the gardens lay for signature, and saw the boys from a neighbouring manufactory sign it, some of them two or three times. He did not suppose that this was peculiar to the Petitions in favour of the opening—they all knew what injudicious persons would do in getting up Petitions on any question. As had been abundantly shown, while there was a strong feeling against that measure, there was no great necessity, as far as the working classes were concerned, for opening these Gardens; and, in fact, there was no town in the world that had such facilities for recreation; and on that ground, therefore, he hoped the House would not accede to the Motion. Close to the part of the town in which they generally resided were the Queen's Park and Arthur's Seat; while to reach the Botanic Gardens, which included only eighteen acres of ground, they would have to walk nearly two miles. The opening of these gardens would, he was informed, from the way in which the gardens were laid out, every plant being ticketed, render necessary the attendance of at least twelve persons every Sunday—an amount of Sunday labour which that House ought not lightly to require. The gardens to which the hon. Member for Galway had referred as being open on Sunday were not properly public gardens, but gardens attached to residences the occupants of which alone had the right of admission; and as the working classes had easy access to far more agreeable places of recreation than the Botanic Gardens, he hoped the House would not agree to the Motion for opening them.

Major HAMILTON said, that the feeling of the people of Edinburgh, both high and low, was against the opening of these Gardens on Sunday. The hon. Member for Perthshire (Mr. Stirling) had endeavoured to make out, that if the gardens were open on Sunday, it would not be necessary to increase the number of gardeners or police employed in those gardens—but what was the fact? The people of Scotland were so thoroughly well educated that they always required to know, if possible, a little more than they did already. So well known was this characteristic that he would give them an instance in illustration. He and a friend, while at the Exhibition of 1851, saw some patent felt helmets for the army, and in order to ascertain whether they would be of any use to the army they tried them on; but a policeman stepped up, and requested that they would leave the helmets alone. They at once complied, but he was struck by the remark made by A 21 to A 22—"Oh, they are merely a couple of Scotchmen, and must touch everything they see." And if these gardens were opened on the Sunday, the people would not be satisfied with the information which Professor Balfour chose to give, but would touch the plants themselves; and he need not say, that if they did so, those plants would be destroyed. He had not the slightest doubt, therefore, that if the gardens were opened as proposed, a greater number of police would be required. That all these Sunday amusements and recreations increased the labour of the police was proved by an answer which was given to the Lord Provost of Glasgow, when, at the instance of the clergymen who complained that the police were the only persons who wandered about the streets, he asked if it could not be managed that they should be sent to Church with the rest of the community. That answer was a "replica" of a celebrated reply given by a Lord-Lieutenant of Ireland. The Lord Provost was told, that if the police of Glasgow went to church, he would be the only spoon that would be left in his own house. If extra police and gardeners were employed in Edinburgh, there would be an increase of, in his opinion, unnecessary Sunday labour, and therefore he should decidedly oppose the opening of these gardens. He did not concur in the imputation that Galway was an immoral county; and though the hon. Gentleman might not be the man for Edinburgh, he was certainly the man for Galway.

Mr. SCULLY stated, that seven years ago he had advocated the opening of places, like the British Museum and the Crystal Palace on Sunday after Divine Service, for the recreation and instruction of the working classes; and he then received many letters from religious people in Scotland who imagined that such a measure would lead to the opening of theatres on Sundays. He did not, however, conceive that there could be any connection between such places and theatres; such places were widely different from theatres. He confessed himself unable to see how the position of the strict Sabbatarians could be maintained. Those gentlemen said in effect that persons should work on six days of the week and rest on the seventh; but they did not act upon their own rule. For the most part they belonged to the idler classes; they did not follow the command of working on six days, and consequently they were not so much inclined for resting on the seventh as they often were for seeking their own pleasure. It was said that throwing open these gardens on Sunday would encourage habits of flirtation. Why, what other day had young people of the working classes for meeting and talking together? ("Divide!") He perceived that hon. Members would rather go to their dinners than discuss an important question, and he would not stand in the way of their inclination.

VISCOUNT PALMERSTON: Sir, if I were to vote according to my own opinion on the merits of the question in itself, I should give my support to the Motion of my hon. Friend the Member for Galway; because, in the abstract, I can see no harm, but rather good, in doing that in Edinburgh which has been already done in other capitals—that is to say, opening places, be they small or large, for purposes of recreation. But I think in the present case there is another consideration to which the House ought to attend, and by which they ought to be guided—namely, that a real, sincere, and honest feeling on the part of the people of Scotland exists with regard to this question. I hold, that without some very grave and important reason, you ought not to do violence to public feeling; and that public feeling in Edinburgh and Scotland is against the opening of these Gardens on Sunday evenings is, I think, an indisputable fact. We have been told to-night that there are over 64,000 signatures against the opening, and 30,000 in its favour. Why, last year every morning I used to get Petitions, coming from almost every parish in Scotland, against the opening of these Gardens. It is quite true that these Petitions had a very strong family likeness; but still the striking identity of expression showed such identity of feeling that it really gave weight to these opinions, because it showed that in every part of the country the same opinions prevailed. Whatever might have been the origin of those Petitions, they would not have come to me if they did not express the feelings and sentiments of those from whom they proceeded. Now, is there any necessity—any strong and paramount reason—for doing violence to public feeling? It has been already stated by my right hon. Friend the Lord Advocate, that Edinburgh, of all the towns in the world, possesses in its neighbourhood the amplest opportunities for air, exercise, and recreation. Arthur's Seat, the Queen's Park, and all the outlets in every part of the town afford the working classes much greater enjoyment than these small Botanic Gardens can possibly yield; indeed, I think the great desire expressed to enter it must proceed from the same feeling which forbidden fruit excites in the minds of men—because they are not allowed to go there, they imagine it is an Eden into which it must be most delightful to enter. This garden is the smallest thing imaginable; in extent it is only about sixteen acres, and the greater part of it is occupied with beds of plants intended for scientific instruction. I venture to say, that if the 34,000 persons who are so anxious to enter these Gardens were all to agree to go there some afternoon, they would find considerable difficulty in getting in; and if they did all succeed in entering, the air would not be by any means enjoyable. I think there is no necessity for acceding to the Motion of my hon. Friend. The hon. Gentleman says the feeling of Scotland is changing in this matter, and that in the course of no distant time the opinion of the majority will be in favour of opening these Gardens. Well, I say, let us wait till that change takes place. I am of opinion that this—I will not call it prejudice, for it is not prejudice, but strong religious feeling—is honourable, and ought to be respected. I am inclined to think that, owing to change of circumstances, the same importance is not attached in Scotland to those strict observances which some time since was attached to them; and in the course of a few years we shall probably find that in the general opinion of Edinburgh and of Scotland there will be no harm in opening these Gardens on Sunday. Wait till that happens; act in accordance with public opinion and in a spirit of deference to it; and do not, by hasty adoption of a principle to which Parliament in the abstract might be disposed to lend its sanction, offer violence to ancient and honourable feelings conscientiously entertained.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided* :—Ayes 123; Noes 107: Majority 16.

WAR OFFICE CIRCULAR.

QUESTION.

MR. PEACOCKE said, he asked a Question a few evenings ago of the noble Lord the Under Secretay for War, relative to the supply by the Government of the articles and implements necessary to enable Volunteer Engineer corps to obtain a knowledge of their duties. The noble Marquess stated that the War Office had issued a circular to commanding officers of Engineers, giving a list of thirty-five articles which were supplied to Engineer corps. He was at first rather nettled at having asked a Question to which so complete an answer could be returned, as it implied a degree of ignorance on his part, and on the part of those who had asked him to put the Question. The officer at whose instance he had put the Question, and who was one of his constituents, had himself raised an Engineer Corps at his own expense, which was as efficient as any in the service, and he felt the utmost confidence in his knowledge on the subject. He had since received a letter from this officer stating that he had never received a copy of the circular which the Under Secretary for War stated had been sent to every commanding officer of Engineers. The noble Lord would now perceive that the Question had been asked, not from ignorance of the Member who put it, or of his constituent who had desired it to be put, but from the *laches* of his own office, with which the blame of not forwarding the circular entirely rested.

THE MARQUESS OF HARTINGTON said, that the hon. and learned Member had only given him notice that evening of his intention to advert to the subject, and it was, therefore, impossible for him to explain under what circumstances the officer of Engineers had not received the War Office circular. He had by no means, imputed ignorance to the hon. Member, but had simply replied that the War Office had issued a list of all the articles which the Government were prepared to supply. He would make inquiry into the matter.

Main Question put, and *agreed to.*

SUPPLY.—CIVIL SERVICE ESTIMATES.

SUPPLY *considered* in Committee.

(In the Committee.)

The following two Votes were *agreed to*:—

(1.) £8,000, to complete the sum for New Record Buildings, Dublin.

(2.) £800, Franklin Monument.

(3.) £6,000, Nelson Column.

MR. THOMSON HANKEY said, for the last six years successively this Vote of £6,000 had been taken for the Nelson lions to be sculptured by Sir Edwin Landseer. He thought it discreditable to the House, to the Board of Works, and in some degree to the name of the great artist who had undertaken the task, that so long a delay should have occurred. Sir Edwin Landseer was a painter, not a sculptor; but by whatever Government the contract was originally made, it was made, he had no doubt, in the belief that Sir Edwin Landseer would take the work in hand at once. Was it reasonable to have to wait for six years for the completion of a work which had been so often brought under the notice of Parliament? The proper way would have been not to have asked this Vote, and to have made an arrangement with another artist to undertake the work. He was told no other artist would undertake it; but he was sure there were several in London who would. He would have been as well pleased to intrust the work to Baron Marochetti; it would have been as well done, and they would have had it long ago. He hoped the Committee would not sanction this Vote, unless there were good grounds for supposing that the work would be speedily completed.

SIR JOHN SHELLEY asked, whether this sum of £6,000 would be sufficient for completing the lions?

SIR MATTHEW RIDLEY said, the hon. Gentleman forgot to ask how far the work of the lions had progressed, or whether it had proceeded at all. When the inquiry was last made, the answer was that Sir Edwin Landseer was studying the lions in the Zoological Gardens. Sir Edwin Landseer was a great animal painter; but it was no derogation from his ability as a painter to say that he was not a sculptor. The truth was, that the work had been confided to the wrong person. They should have given sculptor's work to a sculptor, not to a painter. The fact was, that the artist who was to execute the lions was originally appointed by the subscribers, who formed a committee, and the work was assigned to a sculptor. The change which was afterwards made, was made not by the right hon. Gentleman, but by some one who preceded him in office. He was prepared to prove that it would be possible to have modelled, cast, and placed the four lions in their positions in a year and a half, or two years at the very outside. Originally the work was given to the artist who had given the very best design for the monument, except that it was not for a column. The column was given to one artist, the bas-reliefs to another, and the lions to the artist of whom he had spoken, and who might thus be said to have had the lion's share of the work. He wished to know how much money had been paid on account of this work; how much of the work had been done; and whether the lions were to be repetitions of one another, or to be different in attitude and character.

Mr. COWPER said, this was a re-Vote of £6,000 which had been voted in 1858. Sir Edwin Landseer had as yet received no remuneration for the labour which he had devoted to the work. In 1848, the noble Lord (Viscount Morpeth) who was then at the head of the Office of Works found very considerable difficulty in satisfying himself as to the sculptor to whom to intrust a work of such importance. It was necessary that the artist should have great skill in the representation of animal life, and it was thought best to intrust the Commission to Sir Edwin Landseer, who, if not a sculptor, was the greatest painter of animals that this, or any other country, had produced. Sir Edwin Landseer, finding it was the wish of the Government that his genius should be turned in that new direction, consented to undertake the work. There had, however, been a very deplorable delay—a delay which Sir Edwin Landseer regretted, and which nobody regretted more than he (Mr. Cowper). But Sir Edwin Landseer had not lately been in the same state of good health he had previously enjoyed, and part of the delay was owing to that circumstance. Part of the delay was also owing to this, that the painter had been called upon to exercise his talents in a manner novel to himself, and which required more thought, consideration, and pains than would otherwise have been necessary. But Sir Edwin had studied the matter very deeply, and he (Mr. Cowper) trusted they would be compensated for the delay by the production of something pre-eminently good—something superior to what would have been done had the work been executed rapidly and without preliminary study. He was assured that Sir Edwin Landseer had completed his design, that he was on the point of making the clay model for the casting, that the preliminary delays had at last reached their end, and that there only now remained the time which would be necessary for the mere work of execution. Sir Edwin Landseer had made a good many different sketches, and had frequently changed his views; but he (Mr. Cowper) now understood that he had satisfied himself as to the design and composition. He had been asked whether the money that had been voted in 1858 would be sufficient. It certainly would not. It was quite clear that an increase of Vote would have to be proposed for the completion of the lions. It was quite impossible that colossal statues of a size proportionate to the column could be executed for £6,000. The mere casting of the metal would cost more than that sum; but as it was quite clear that a larger sum could not be spent this year, he thought the best course was simply to re-vote the money which the House had already voted. When Sir Edwin Landseer had completed his clay model, then would be the time to ascertain accurately the sum for which the model could be executed in bronze. He was not prepared at present to state what would be the cost. He did not understand that the four lions would be exactly the same, but he believed that there would be two models, which with alterations would produce the four figures. He was now prepared to say that within a month or two the clay models would be completed. He had done what he could to represent to Sir Edwin Landseer that the work should be completed without delay, and he could bear witness that Sir Edwin Landseer had not certainly of late failed to devote and concentrate his attention on the models of these lions; but in the earlier years after undertaking the commission, having in hand some pictures to the execution of which he was pledged, he did not then feel at liberty to give his whole and undivided attention to this particular work.

Mr. STIRLING could say, from having met Sir Edwin Landseer on several occasions after returning from working on the models, that that artist bore all the appearance of having been hard worked. He could not agree that it was any matter for regret that the commission had been intrusted to Sir Edwin; for considering how distinguished that gentleman was for his representation of animals, it could not have been in better hands. In fact, he believed that his lions would redeem the monumental mistakes which had unfortunately been committed all over London; and he did not think that the Nelson column could afford to dispense with the embellishment that they would afford to it. With regard to the hon. Gentleman's observation that painters were not fitted to produce fine sculptures, he had only to say that the experience of the best ages of art was opposed to such a view. He might add, as a corroboration of the right hon. Gentleman's statement that Sir Edwin Landseer was now busily engaged on these statues, that he had not sent a picture to the Academy this year. At the same time, it might be true, that like the animals he represented, he would be none the worse for a little stirring up.

Mr. THOMSON HANKEY remarked, that this was the first time that the House had heard that the lions would cost more than £6,000. There was either a contract with respect to the matter or there was not. If there was a contract, he wanted to know what sum was to be paid under it. To pass a Vote of this kind without knowing the amount really to be paid, was a very unsatisfactory proceeding; and he should divide the Committee against the Vote.

Sir JOHN SHELLEY conceived that in a matter of this kind there could be no immense margin, and the right hon. Gentleman ought to be in a position to give the Committee some idea what this larger sum was to be.

Mr. W. WILLIAMS said, it was a disgrace to the country that the monument to a great man like Nelson should have remained so long incomplete; and, whatever might be the cost, he hoped the right hon. Gentleman would get it finished. The sum required could not be materially more than £6,000.

Mr. MITFORD inquired, whether the bronze for the lions would be provided by the Government?

Sir MATTHEW RIDLEY wished to know what was to be the size of the lions, as that was a material matter in the calculation of the cost.

Mr. COWPER replied, that the lions would be twenty feet in length. As far as he was able to make a calculation of the sum required for the complete execution of the statues in bronze twenty feet in length, he should say, assuming that the metal must be purchased and was not given by the Government, that the whole might be done for double the sum which was now proposed—namely, for £12,000. It did not appear that in 1848 there was any contract or careful examination made with regard to the particular sum that would be required, and he found that Sir Edwin Landseer did not consider, on his part, that he had undertaken to complete the lions in bronze. In this case, when the clay models were completed, it would be necessary to make a contract with a metal founder to cast these lions under Sir Edwin Landseer's direction and guidance. In that way the country would have in this matter the full benefit of Sir Edwin Landseer's genius. He quite felt, with the hon. Member for Lambeth, that there ought not to be any further unnecessary delay in the completion of the Nelson Monument, and it was necessary for the dignity of the country that the column should be completed in a proper manner. It was said that it was not customary for painters to devote themselves to sculpture; but in the great days of Italian art Michael-Angelo and other artists were great in both the departments of painting and sculpture. He believed that the Government had done best by placing the management of this work in the hands of a man of such undoubted genius as Sir Edwin Landseer. Care would be taken that the casting in bronze should not be commenced until a definite contract was made, in order to prevent unnecessary expense.

Sir JOHN SHELLEY was informed that the bronze for Baron Marochetti's statue of Cœur de Lion outside the House of Lords cost £3,000, and he imagined that the bronze for four lions would cost more than £12,000.

Sir MATTHEW RIDLEY asked, whether Sir Edwin Landseer had himself prepared the models?

Mr. COWPER said, that everything done in the models had been done by Sir Edwin Landseer's own hand, and for the models Sir Edwin Landseer would be exclusively responsible.

Admiral WALCOTT asked, when the lions would be completed?

Mr. COWPER said, the design was completed, and the models would be completed in a month or two.

Vote *agreed to.*

Motion made, and Question proposed,

"That a sum, not exceeding £28,914, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for erecting and maintaining certain Light-houses Abroad."

Mr. CHILDERS said, he wished to draw attention to the extraordinary absence of a business-like mode of dealing with the item in this Vote of £8,000 for a floating light on the Little Basses Rocks, Ceylon. These rocks were in the direct line of the steamers between Point de Galle and Madras, and as early as 1826 it was represented to the Government that they ought to be lighted. In 1848 the Government made up their minds to do something, and wrote to Ceylon for advice how light-houses could be erected. Six years afterwards, in 1854, they got reports, showing that floating lights were impracticable, and strongly recommending the building light-houses on both the Basses Rocks, for the estimated sum of £4,500. In 1855 Parliament voted £3000; in 1856, £17,000, and £6,000 for a steamer to carry the materials; in 1857, £8,000; in 1858, £10,000; and in 1859, £10,000, making a total of £54,000, for which there was never any other estimate than the one of £4,500. Even now the light-houses were not put up, and he saw them on the wharf at Point de Galle. In 1860 they were told that they could not put up a light-house, and that they must have a floating light, which was in the first instance condemned. Accordingly, in 1861, the House voted £8,000, and in 1862, £2,000 more for a floating light. The money was not expended, and now they were asked to vote £8,000. There ought to be some limit to the credulity of the House, and he should move to strike out the £8,000, leaving the Government to bring some evidence next year whether a fixed or a floating light was the best, and what money would really be required. He begged to move the reduction of the Vote by £8,000.

Motion made, and Question proposed, "That the Item of £8,000, for the Little Basses Rocks Light Ship (re-Vote), be omitted from the proposed Vote."

Mr. AUGUSTUS SMITH complained of the Vote altogether. It seemed to him that the rich colony of Ceylon ought to maintain its own lights. He therefore cordially supported the Motion of the hon. Gentleman who just sat down.

Mr. MILNER GIBSON said, it was quite true that a great many errors had in former years been committed with respect to the erection of light-houses on the Basses Rock. The engineers were deceived as to what was to be done, and a great deal of money had been thrown away. It had been considered by the most competent judges that the best mode of lighting the rock would be by means of a floating lightship. Such a ship had been ordered to be built; but whether she would prove satisfactory for the accomplishment of the object in view must be determined by experience. It would at all events be necessary to pay the expenses of mooring the ship, and keeping up the necessary staff of attendants. Now, he did think it would be unreasonable to charge Ceylon for the light-ship, inasmuch as she was constructed rather for the protection of the general trade of this country than because of any special interests Ceylon had in the matter. Such lights as these and the Bahamas, and others similar, were proper subjects for a public Vote. It was, he thought, a duty which England owed to the world, and to her own commerce, to place lights on those barren islands in her possession, where necessary, for the purpose of preventing wrecks.

Sir JOHN SHELLEY concurred with the right hon. Gentleman in thinking it right that we should maintain light-houses where required in our own possessions for the protection of ships and trade. He must, however, say that he believed the numerous mistakes which had occurred with reference to the erection of those buildings were to be attributed mainly to the fact that they were provided under the sanction of the Board of Trade, and not of a properly constituted Board of Works.

Mr. PEEL reminded the Committee that the sum of £8,000 was Voted last year for the construction of the light-ship in question. She had not been finished at the close of the financial year, and the money was not available for her construction. The present therefore was simply a re-Vote.

Mr. CHILDERS said, the Vote was taken not last year, but the year before.

Notice taken that 40 Members were not present; Committee counted, and 40 Members being found present,

Mr. CHILDERS proceeded: He wished, he said, to know what was the amount agreed to be paid under the contract in question, and who was the engineer consulted.

Notice taken that 40 Members were not present; Committee counted, and 40 Members not being present,

Mr. Speaker resumed the Chair.

House counted; and 40 Members not being present,

House adjourned at a quarter
after Eight o'clock.

HOUSE OF LORDS,

Tuesday, June 9, 1863.

MINUTES.]—*Took the Oaths*—The Lord Bishop of Limerick.

Public Bills—*First Reading*—District Parochial Churches * (No. 126).

Second Reading—Security from Violence (No. 103).

Committee—Vaccination (Ireland) * (No. 108).

Report—Bakehouses Regulation * (No. 122).

SECURITY FROM VIOLENCE BILL.

(NO. 103.) SECOND READING.

Order of the Day for the Second Reading read.

The Earl of CARNARVON: My Lords, the Bill which I now propose to your Lordships to read a second time is a very short one, and I can assure your Lordships that it is as simple as it is short. With your Lordships' permission, I shall take the liberty of explaining. in a few words, what its object is. It gives power to inflict corporal punishment three times within the first six months, in the event of conviction, for any of those robberies which are accompanied with violence, such as were known in the course of last winter as "garotting" cases. After the discussion which the Bill has undergone in the House of Commons, I do not think it necessary to enter at great length or in minute detail into its provisions; but, as I am aware that objections are entertained to the measure by some of my noble Friends, I think it will simplify the discussion if I state as fairly as I can what I conceive those objections to be, and the arguments which suggest themselves to my mind as showing that the opposition to the Bill is not well founded. As I understand them, the objections to the Bill are on two grounds:—First, it is said that awarding a particular punishment for a particular offence must be regarded as special legislation; and secondly, because it awards corporal punishment, which the opponents of the Bill object to in any case whatever. Now, as regards the objection on the ground of special legislation, it may be very desirable to put a number of offences under one head and in one category; but that rarely can be accomplished in practice. It is very much the genius of English legislation, if I may use the term, to deal with each particular case as it arises, and to suggest the best remedy. That has been our practice for some years past. It is now, I believe, admitted that there has been a very considerable increase of crime during the last few years. Certainly there has been a great increase within the last year or two in crime accompanied by personal violence, and especially in the number of those attacks on the person which are generally known as "garotting cases." During the last autumn and winter very considerable alarm was felt in reference to those offences; and though I admit that there may have been considerable exaggeration in respect to garotting cases, there can be very little doubt that there was a large number of them. The alarm felt by the public was justified by the number of convictions for this class of crime; and it is really no exaggeration to say that for some time it was positively unsafe to walk in the public thoroughfares of London after nightfall. It is true that during the last few months there has been a decrease in the number of those cases, partly arising from an increse in the police force, and partly because in the summer season there do not exist the same facilities for the commission of the crime itself. But there is too much reason to fear that this improved state of things may not be permanent. I object, and I am sure your Lordships object, to legislation under anything like a panic. I believe that such legislation is most undignified, most unworthy of Parliament, and mischievous in this respect—that it generally provokes a reaction, and carries you back to the point from which you started. I ask the House to agree to the second reading of this Bill in order to avoid anything like that. It seems, however, to be reasonable, that where a particular evil exists it should be met by a particular remedy; and at this moment it is possible to legislate without panic, and at the same time it is possibe to legislate while the cause of the legislation is fresh in our minds. Your Lordships will observe that these garotting offences are generally committed by persons who have been convicted over and over again. These persons are not only inured to crime, but they unblushingly make it a profession by which to gain a livelihood, and combine a love of plunder with a system of personal violence and outrage such as was scarcely heard of even in the worst days of highway robbery. The intent must be looked to in all these cases; but where such violence has been used as is calculated to result in murder, we must not draw too nice a distinction if an intent to murder has been frustrated by some Providential interposition or some fortunate accident. I must say that Parliament has to thank itself in a great degree for this state of things. Unfortunately, it has been for some years the study of Parliament to mitigate every rigour of the law, to cut down punishments, to abate the severity of sentences, and, even when they are pronounced, to modify them very considerably. I think this course of legislation has contributed materially to give rise to a special case; and as we have such a case to deal with, we ought not to hesitate to apply a special remedy. There are two objections on the ground of corporal punishment—one, that it is demoralizing and degrading; the other, that it is ineffective. I think that many persons who argue against it on the former ground, give the class of which garotters are usually composed credit for motives and feelings which they neither possess nor comprehend. There are, I am afraid, in the world many persons of such low and base spirit that it is absolutely necessary, however painful it may be, to appeal to them by a fear of punishment rather than by holding out the promise of reward. Again, a great part of the opposition to the use of corporal punishment arises from an historical confusion in the minds of those who object to it. They assimilate the corporal punishment of this time to the corporal punishment of the 17th or 18th centuries. They imagine to themselves the pillory, or the culprit being whipped by the common hangman, in the manner that we read of. But I need hardly tell your Lordships that the corporal punishment of this day has nothing in common with the corporal punishment of the 17th or the 18th centuries. The present system has around it all those safeguards which have been imposed by modern legislation and modern custom, and it cannot be compared with what was inflicted in former times. I should be very sorry to institute a comparison between our sailors and soldiers and those miscreants whom it is the object of this Bill to punish; but as long as you apply corporal punishment to our sailors and soldiers, I cannot see on what principle or what logic you can object to it for the hardened criminal. There is only one other argument against this species of punishment with which I think it necessary to deal. It is said that it is an ineffectual kind of punishment; but I need only appeal to our own experience to negative this objection. In no less than three different cases, corporal punishment has been tried, and in all these three it has been invariably successful. The first is the case of juvenile offenders. Any one who knows anything of juvenile offenders, of the class from which they spring, and of the instincts under which they act, must know that in their case it would be impossible to surrender the power of inflicting corporal punishment. I do not mean to say that corporal punishment should be inflicted in all instances indiscriminately, but there are cases in which it is most important and invaluable. Your Lordships will remember the statutes passed three years ago for the consolidation of the Criminal Law. In those statutes, every penalty was systematically cut down and reduced; but so strongly did those who endeavoured to bring about an amendment of the law, feel on this subject, that they continued the punishment of whipping in the cases where it was still directed. With regard to offenders who are subject to penal discipline, there is in all cases on the part of the visiting justices a power of inflicting this punishment, though, unfortunately, the power has very often been allowed to lapse into desuetude. It would not be expedient for me to quote to the House from the evidence given before the Committee of which I had the honour to be the Chairman; but this I may say, because it is a fact perfectly familiar to any of your Lordships who have inquired into this subject, that all the ablest and most experienced governors of the gaols would object most strongly to part with the power of inflicting corporal punishment, and many of them will tell you that that punishment is so effectual that it has constantly stopped all repetition of the particular offence to which it has been applied. Lastly, you have the experience of two special Acts of Parliament, which were passed to repress special offences. In 1841 several unmanly and disgraceful attempts were made to inflict violence on the person of Her Majesty. Those attempts had been invested with a sort of morbid and spurious popularity, and were becoming common. It was at the time much discussed whether these offenders should be tried as for high treason, or whether they should be dealt with by a simpler process, and one corresponding better with the degraded character of the offence. In the end it was, I think, wisely determined to adopt the latter course, and the late Sir Robert Peel introduced a Bill allowing the presiding Judge at his discretion to award corporal punishment to any one who was guilty of this offence. It is quite true there were one or two attempts of the same nature after the passing of this Act; but the practice ceased to spread, and there has never been any attempt to revive it. But you have still a stronger case in another Act, which was passed a few years afterwards. In 1845 an attempt was made by some fanatic to break and destroy the Portland vase; and an Act was passed placing works of art under this protection, and giving to the presiding Judge the power of ordering the offender to be whipped. From that time to the present I believe there has not been one single instance of a conviction under this Act. Now, I do think that these cases—the case of juvenile offenders and prison offenders and our experience of the Acts of Parliament I have mentioned—are sufficient to show that corporal punishment can be made a most effectual check upon crime. It would be too much to presume, that if this Bill becomes law, as I trust it will, it will be as effectual in preventing the offence at which it is aimed as the two Acts I have alluded to; but I do think there is reason to hope that it will materially diminish a species of crime which, if some means are not taken, will certainly recur in an aggravated form in the next winter, and must then be dealt with. Under these circumstances, I beg to move the second reading of this Bill.

Moved, That the Bill be now read 2^a.

LORD CRANWORTH: My Lords, I confess that the introduction of this Bill has been to me matter of great regret and pain. Your Lordships are well aware that, for the last thirty years, Commission after Commission has been issued to inquire into the whole subject of our penal legislation. Acting upon those Commissions were Members of your Lordships' House, Members of the other House, judicial functionaries, and persons connected with the laws relating to criminals generally. The investigation took place, and the subject was inquired into, perhaps more exhaustively than any subject ever before Parliament. The result was, that in 1860 the late Lord Chancellor introduced a great number of Bills for consolidating the criminal law and affixing the proper punishment to each offence. Throughout these proceedings the punishment of whipping was regarded as altogether objectionable, and, except in the case of juvenile offenders under the age of sixteen, and in the other cases mentioned by my noble Friend, whipping was abolished. Now, if it was abolished from any sort of sympathy with the criminal, I certainly do not share in that sympathy; but I am persuaded that the infliction of whipping, if it becomes at all general, produces a sympathy for the criminal in the minds of those who hear the sentence pronounced, and so does great mischief. The law having been thus altered in 1861, a panic arose before two years had passed, owing to the prevalence of a particular crime; and if there were no other objection, I think that a measure of criminal justice introduced in consequence of a temporary panic is in itself greatly to be deprecated. It is quite true that in the last six months of 1862 the crime of robbery with violence greatly increased. Having been a Member of the Commission which sat on the subject of penal servitude, I happen to know that the number of cases reported to the Metropolitan Police within this period was eighty-two; whereas in previous years, during the same period, the number was only about twenty-eight or thirty. But since that time no increase in the number of these violent attacks upon the person have occurred, so as to justify such a measure as the present. I must appeal to the experience of your Lordships whether from time to time certain crimes do not come, as it were, into fashion. They prevail, and no one can tell the reason why. When I was at the University of Cambridge—now half a century ago—I can remember that near a village in Newmarket a stack was set on fire every week. No one could give a reason for the offence, but no farmer could preserve his property—the offence had become a fashion. Again, when I had the honour of being a common law Judge, the practice of a dreadful crime, that of poisoning, prevailed. No one could tell why or with what object. Then your Lordships will remember, that if one person threw himself off the top of the Monument, he was sure to be followed by two or three other persons; and it became necessary to put up an iron railing there and at the top of the Duke of York's Column. A few years ago burglaries were exceedingly prevalent, and a dreadful murder of a clergyman in Surrey was committed by burglars. Why do I allude to these subjects? Merely to show that you cannot by any legislation prevent at certain periods the occurrence of a particular crime. Now, having stated that there was in 1862 this great increase of robbery with violence, let me add that in December twenty-nine of these offenders, who are rather loosely called "garotters," were brought before the Criminal Court and convicted; and those who remember the sentences of Mr. Baron Bramwell will not think that they were at all too severe. What has been the result? Why, we have heard of no garotting since. I do not say that single instances may not have occurred; but my noble Friend has not told us that the commission of such robberies and violent assaults in the streets of the metropolis has been common since December last. Let us suppose that this Bill, instead of having been introduced at the beginning of the Session, had been brought forward now for the first time, would your Lordships not ask, "What is the necessity for particular legislation upon this particular crime? The fact is, that we are recurring, in some degree, to the objectionable courses of legislation which prevailed in the last century. Then, when any offence became common, as, for instance, stealing from a dwelling-house to the value of forty shillings, it was made a capital felony, until at last our statute-book became a discredit to any civilized country, and was obliged to be reformed. I think, therefore, my Lords, that as this subject has been practically considered for the last thirty years by persons most competent to form a sound conclusion, it is hardly consistent with common sense now to introduce, owing to a temporary panic, an enactment which is to form a permanent part of our criminal law. That of itself forms a serious objection to the Bill. But, further than this, I think the Bill will be absolutely inoperative. You are obliged to trust to the Judges a discretion as to the punishment they may administer. There are evils in the extent of that discretion; but much greater evils would arise from removing it, because it is impossible *à priori* to define what constitutes the essence of guilt which makes a greater or lesser degree of punishment advisable. My firm conviction is, that if this Bill becomes law, there will scarcely ever be an instance in which whipping will be applied to criminals, except to those under sixteen years. My experience as a common law Judge leads me to form that opinion; and more than that, one of the most experienced of Her Majesty's Judges told me, that having consulted six or seven of his colleagues, he believed the power would never be acted on at all. If that be so, we shall have an Act of Parliament which is the result of a panic, which panic has subsided, and the only effect will be to place upon our statute-book a law which will be a dead letter. Now, as to the panic itself, there were twenty-nine persons convicted and sentenced by Mr. Baron Bramwell; and Sir Richard Mayne is of opinion that that number includes a very large proportion of those who were concerned in the eighty-two cases of violence and robbery, and he is satisfied that among those who were convicted was one of the men who was concerned in the attack upon a Member of the other House. But the panic has now subsided, either because the present punishment is sufficient, or because the persons who perpetrated the crimes were all included in the number of those who had been convicted and sentenced to imprisonment, which will prevent them from renewing the offence for some time to come. There is another objection to this Bill. No sentence can be pronounced with a knowledge of the exact extent of the punishment, because there is no one who knows how to flog. In the army soldiers, I believe, are taught to flog; so that when an unfortunate man is sentenced to the lash, it is sure to be administered by an experienced hand. In unpractised hands the flogging may be severe or it may be trifling, and thus the element of uncertainty is introduced. At present, criminals under sixteen must be flogged with a birch rod; but the Bill provides that with respect to other criminals of the class specified the punishment may be inflicted "with any instrument the Court may direct." Can the Judge sentence men to be bastinadoed? That is a very objectionable power; but even if the instrument be the cat-o'-nine-tails, I am told that those cats differ among themselves so much that their application in some cases is extremely severe, while in others it is very trifling. This element of uncertainty alone should make your Lordships hesitate to pass this Bill. There are other objections which may be certainly remedied in Committee, but which I refer to only to prove how hasty and unconsidered is this legislation. Who is to be flogged? Every person who garottes another, or commits violence with intent to rob. But if a man knocks down another and cruelly assaults him, if there is no intention to rob, this punishment is not to be inflicted. We have heard of a case where one man bit off the nose of another, disfiguring him for life; and why, if flogging be right for garotters, should it not be right for such ruffians? Then, again, it is provided that the punishment shall be penal servitude for life, or for any term not less than three years, or imprisonment for not more than two years, or to be once, twice, or thrice privately whipped; but the whipping may be in addition to, or in substitution of, any other punishment. But how can a man be sentenced to three whippings in substitution for other punishment? Is he to be flogged in the court—for there is no provision for his being taken back to prison? and where is he to be in the interval between the whippings? Even in cases of sentences of death, so strict is the construction of law that a Judge does not at once sentence a man to be hanged until he be dead, but first orders that he be taken back to the place whence he came, and then pronounces the remainder of the sentence. I admit that these objections are not incurable, but they show that the Bill has been introduced hastily, with a laudable motive, no doubt, to meet an evil; but in attempting to cure that evil it will introduce several others, and is wholly at variance with the legislation sanctioned by Parliament two years ago. For these reasons I move, as an Amendment, that this Bill be read a second time this day six months.

Amendment *moved,* to leave out ("now") and insert ("this Day Six Months").

Lord WODEHOUSE said, the authority of the noble and learned Lord was always great in that House, but upon the present occasion he was unconvinced by his arguments. The noble and learned Lord began by objecting, that as we had so recently consolidated our statute law, it was not desirable to begin to make changes. No doubt that argument was one that had some weight; but no one could contend that because the statute law was consolidated three years ago, after careful consideration, they were precluded from making any amendment of the law where amendment was shown to be necessary. He thought in this case that necessity had been shown. There was now a particular punishment assigned to a particular offence, and it was found that that offence, so far from being diminished, had increased till it had become a source of great, though no doubt to some extent exaggerated, alarm. It was proposed by the Bill, to endeavour, by a new kind of punishment, to deter men from that crime. He could see no reason why they should not try the experiment. The noble and learned Lord had stated that he had no sympathy with the criminal who was to be subjected to this punishment; and no one would have. The punishment could not be said to be excessive, for it was limited by the Bill to fifty lashes at one time; and he thought that met the objection that they were returning to the barbarous legislation of the past century. His noble and learned Friend used one argument which had surprised him much as coming from him. It was said, that if the Bill passed, the law would be inoperative, because the Judges would seldom sentence any offender to the punishment which the law directed. The Judge had the discretion, no doubt, to apportion the sentence to the particular occasion, but that discretion was limited by the intention of Parliament; and he had too much respect for the judicial Bench to suppose, that whatever their private opinions might be as to the policy of the law, they would fail to give effect to the intention of the Legislature. Then the noble and learned Lord said that the sentence would be uncertain, because the person administering the punishment might, in one case, have a strong arm and in another a weak arm. But that was an objection which applied equally to the sentences of courts-martial, and in all cases where corporal punishment was inflicted within the gaols. Under the present law a convicted criminal, for gross misconduct, was subject to punishment by the lash; and in the course of the inquiry upon the subject of prison discipline, the witnesses, almost without one exception, stated flogging to be a salutary punishment, and that they would be sorry to see it abolished. The noble and learned Lord had pointed out one or two defects in the Bill—as, for instance, that the flogging might be in substitution for imprisonment, while it was not provided that the man should be imprisoned till the flogging had been administered; but that was a fault that could be easily remedied in Committee. As to to the objection in regard to the kind of instrument, it was impossible to define a Parliamentary cat; but perhaps the most convenient way of getting over the difficulty would be to leave out that part of the Bill which provided that the Judge should direct with what instrument the punishment should be inflicted, and to leave that matter to a general order of the Secretary of State. As to the main object of the Bill, he believed that it would very much diminish the class of offences which it was intended to punish, for it was a kind of punishment which this class of offenders dreaded more than any other. If it were thought desirable to extend the provisions to any other class of atrocious offenders, he saw no objection to doing so.

Earl GRANVILLE: I wish to say a very few words on this question. I must say that the speech of my noble and learned Friend, who has had so much experience in the administration of criminal law, appears to me perfectly unanswerable. The attempt which was made to reply to it by my noble Friend who has just sat down is, I think, the only speech I ever heard from him in which there appeared to be no argument whatever. I must apologize to my noble Friend for saying so, but really in no one sense did he answer the remarks made by my noble and learned Friend. I think it most objectionable to legislate on a panic, and the panic in which the Bill originated has now gone by. My noble Friend says that because the criminal law was consolidated two years ago is no reason why we should be debarred from improving a certain portion of that law now. I do not consider the consolidation of the law final; but it is, I think, a reason why, the subject having been intrusted to legal Committees of very high character and brought to one point, we should be very careful not to make little innovations—small holes in the corners of the consolidated statutes quite inconsistent with the tenour of the law. Then, as to the punishment of whipping being applied only to one class of offenders, ought it not to be extended to a case, for instance, of two men who committed a savage assault on a woman for a particular purpose? I say, my Lords, it is monstrous to limit the punishment of whipping to one class of offenders under the influence of a sort of panic which has now passed away. It is no doubt true that evidence was given by the governors of gaols as to the very favourable effect of flogging in certain cases; but I believe that the flogging in those cases was altogether of a different character. The punishment assigned for a particular offence may not deter a criminal, because he really believes he will not be caught; but in prison the difficulty is to find an aggravation of punishment which will have any effect without interfering with the health of the criminal, and in such cases flogging has been introduced; but, as I have said, I believe the cases are not parallel. No doubt this Bill has been carried by a large majority of the House of Commons; but if my noble and learned Friend presses his Amendment to a division, I certainly, for one, will vote with him. At the same time, I cannot help thinking, seeing the benches opposite so very full, if they are all of one opinion, having been brought together, not by the severe pressure of the cat-o'-nine-tails, but of the more mild and conciliatory whip of a noble Friend I see opposite, we had better be satisfied in saying Not Content without a division, reserving to ourselves, though I think it will be difficult, to endeavour to improve some of the more ridiculous provisions of the Bill in Committee.

The Earl of HARDWICKE said, it depended upon the instrument used, the handle, the lash, and the knots, whether they made the punishment of no value and no terror to those who received it, or whether they made it a real and severe punishment. Unless the character of the instrument was defined, the provision might be useless.

The Earl of HARROWBY observed, that an instrument of the kind was kept in all our gaols. He would only add that the governor of the gaol in Staffordshire had assured him that he had never occasion to apply the punishment a second time.

On Question, That ("now") stand Part of the Motion? *Resolved* in the *Affirmative:* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Thursday* the 18th *Instant.*

DUCHY OF CORNWALL MANAGEMENT BILL—(No. 118.)

REPORT OF AMENDMENTS PUT OFF.

The Duke of NEWCASTLE *moved* that the Report of Amendments in this Bill be received.

Lord REDESDALE said, he thought the 39th clause, relating to the grant of land for sites for places of worship, would bear unfavourably on the due administration of the property of the Duchy. Its provisions would amount, in fact, to the endowment of various religious bodies, and he questioned the expediency of sanctioning, for the first time, a principle of that kind in connection with the Crown property. The value of any site given was to be limited to £300; but, whether the gift was in money or in land, it would still be an endowment. They might expect applications to be made by every religious denomination; and if, as was likely, the land would be required for the minister's houses and for schools as well as for chapels, the grant of sites for such purposes would practically be an endowment. He thought the powers of the Duke of Cornwall, in regard to giving sites for places of worship, ought to remain as they stood under the former Act. The noble Lord said, that in the event of his Amendment to this clause being agreed to, he intended to propose a new clause, which would enable the Duke of Cornwall to grant, sell, or lease any ground fit for the site of a chapel for the worship of Almighty God, by any denomination of Christians, with the restriction that the ground so granted or leased shall not exceed half an acre, nor be of a value exceeding one hundred pounds. The noble Lord concluded by moving to omit certain words, and to introduce others, the effect of which would be to limit the power of the Duke of Cornwall to grant sites for places of public worship to grants to the Established Church, as under the 7 & 8 *Vict.*, c. 65, s. 26.

The Duke of NEWCASTLE said, the noble Lord seemed to forget that the provisions of this clause were merely permissive, and intended to enable the Duke of Cornwall to do that which almost all landed proprietors were now in the habit of doing on their estates. There was no doubt there were many places where it would not be necessary to exercise the provisions of this clause—for instance, in parishes where there were other proprietors; and it was chiefly in Devonshire and Cornwall that the necessity of some provision of this kind existed. In many of the mining districts the population were nearly all Wesleyans and Dissenters; and if these people were not allowed sites for their chapels, they would be deprived of religious instruction. Their Lordships, as owners of large properties, were frequently called upon to exercise similar powers, and he saw no reason why they should be withheld from the Prince of Wales. He understood that his noble Friend wished to restrict the limit of the value of the grants for dissenting chapels from £300 to £100; but why should there be a difference of this kind between the Established Church and dissenting bodies? It was objected that there was also power to grant sites for for ministers' houses as well as for places of worship; but the object of this was to remove a restriction which formerly existed, and which limited the power to grant sites for ministers' houses in places where they had previously granted sites for churches. Sites would not be granted where they were not wanted, and there was no intention to endow Dissent; but he hoped their Lordships would not refuse to the rising population of Devon and Cornwall those facilities which were absolutely necessary for the public celebration of Divine worship.

The Earl of DERBY said, he was not in the House during the former discussion on this Bill, and therefore he would not say a word about the definition of the words "spiritual person." It should be remembered that the Duke of Cornwall was not in the same position in regard to his property as private landowners were; and if the clause were agreed to in its present shape, there would be a pressure put upon him which other owners of property would not be subjected to. He would not object to the permissive power proposed, if it did not go beyond the necessities of the case; but he thought it did go further than was required. He had had frequent applications made to him for small portions of land for the erection of Dissenting places of worship, but he had never been asked to grant anything like so much as five acres. He thought that a grant of five acres of land would be too much for a site for a church; and besides that, there might be other grants of five acres each for other purposes, each of which would be of the value of £300.

The Duke of NEWCASTLE said, that those figures were simply inserted as a limit which could not be exceeded.

The Earl of DERBY: By the Bill land might be given for three objects—for the site of a church, for a residence, and for schools, and the whole would be worth £900, which would practically be an endowment. Now, that appeared to him to go beyond the necessities of the case. His noble Friend (Lord Redesdale) had proposed to limit the grants to half an acre, or the sum of £100; but he would suggest that the limit be fixed at one acre, which would not be an undue provision. Then, again, he did not think that the residence of the minister need be freehold—there was no reason why it should not be provided for by an ordinary lease. He would allow the same powers as were now in force to continue, and that would enable the Council to grant an endowment for the residence of a minister of the Established Church, and the means of building a house and schools; but they would limit the powers in regard to Dissenters to the place of worship. He thought the proposed clause partook too much of the nature of an endowment to Dissenters, and that went beyond the necessities of the case. All that was required was that they should have sites for places of worship. The other provision of the clause, that when the chapels ceased to be used for the purposes for which the sites were obtained, they should revert to the Duchy (unless they had been consecrated), seemed to him to be reasonable.

Lord PORTMAN said, there were some reasons why five acres of land, or land to the value of £300, should be granted, which were not apparent to some noble Lords. Upon Dartmore five acres were necessary for a house and garden, and less would not be enough to give shelter to the property and to make the clergyman a comfortable home. He felt bound to say that that was an exceptional case; but the quantity was in the original Act, and those who had framed this Bill had not made any change. As to the sum of £300, it referred to lifehold house or houses occupied by clergymen in district parishes on the lives of others. So long as the lives lasted, the clergyman occupied the property; but when the lives fell in, then the money was required for a site for building a house.

The Earl of POWIS thought, that as there were to be grants to the different religious bodies, the limit should be less than five acres; for otherwise the Prince might be asked to give in one place five acres three or four times over to each of several bodies, and the Council could hardly set up a ground for refusing. In the case of the Church of England, of course, there could not be these multiplied grants in one place. He thought that it was necessary that there should be a congregational as well as a territorial limit.

The Earl of Derby

The Duke of NEWCASTLE explained that the amount named in the Bill was intended merely as the maximum. As a rule, however, he did not doubt that an acre would be quite sufficient in ninety-nine cases out of a hundred. He would therefore reconsider the clause.

Lord REDESDALE asked, whether the alterations proposed by the noble Duke would leave the ministers of the Established Church and Nonconformist ministers in the same position? If they did, the same demand for land might be made in the same parish by several religious bodies. The principle involved in that clause was that a grant made to a minister of a Dissenting body would be an endowment to a Dissenting chapel.

The Duke of NEWCASTLE said, the power in the clause would enable grants of sites to be made to all religious bodies—to ministers of the Established Church and to Dissenting ministers. He did not see the object of his noble Friend in making this distinction. His noble Friend desired to make the limit of the grant stop at five acres to ministers of the Established Church, and at half an acre to Dissenting bodies; but he (the Duke of Newcastle) could not consent to draw such an invidious distinction.

The Duke of MARLBOROUGH said, that sites for residences would not be so much wanted in the cases of Dissenting preachers as in those of clergymen, because many of the Dissenting chapels were served by itinerant ministers who did not live on the spot.

The Duke of NEWCASTLE agreed, that, as a general rule, there was no requirement for sites for Dissenting ministers' houses; but there were exceptions, and therefore it was necessary to reserve the power of making grants for that purpose.

The Earl of DERBY drew attention to this—that the Bill applied not to sales, but only to grants of land; and if it passed, there would be nothing to prevent the Council from selling additional portions of land, if necessary, to the Church or to Dissenting bodies.

The Duke of NEWCASTLE: There was this restriction—that the price of any portion of land, however small, must be invested in the purchase of other land; and it might be difficult at times to comply with this rule.

Lord REDESDALE said, it appeared to him that it would be desirable to postpone the Report in order that the clauses which were at present objectionable might be further considered and amended.

After further discussion this was agreed to.

Report of Amendments *put off* to *Friday* next.

House adjourned at Seven o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, *June* 9, 1863.

MINUTES.] — Select Committee — Board of Admiralty (*Debate adjourned*).

Supply—Resolutions (June 5) *reported*.

Public Bills—*Ordered*—Postmaster General (Sale of Land)*.

First Reading—Misappropriation by Servants* [Bill 156]; Casual Poor (Metropolis)* [Bill 155].

Second Reading—Officers of Royal Naval Reserve * [Bill 142].

Committee—Sheep and Cattle (Scotland) [Bill 115]; Local Government Supplemental * [Bill 151] (*on re-committal*); Dockyards Protection Act Amendment (*Lords*) * [Bill 130].

Report—Sheep and Cattle (Scotland); Local Government Supplemental *; Dockyards Protection Act Amendment*.

Third Reading — African Slave Trade Treaty * [Bill 144], and *passed*; Inland Revenue * [Bill 145], and *passed*.

CHIEF JUSTICESHIP OF BRITISH GUIANA.—QUESTION.

Colonel ROWLEY said, he wished to ask the Under Secretary of State for the Colonies, Whether it is true that Mr. Beaumont, an English Barrister, has been appointed Chief Justice of British Guiana, over the heads of the Crown Law Officers in the West Indies, many years his senior; and, if so, why?

Mr. CHICHESTER FORTESCUE in reply, said, it would be a mistake to suppose that in the Colonies in which the patronage was still exercised by the Secretary of State there was any rule of promotion which would be violated by such a case as that to which the hon. and gallant Member had referred. On the contrary, there was a general understanding that the highest judicial offices in the Colony should be filled by gentlemen who were not connected with the Colony; and it was on that ground only that the Attorney General for British Guiana—a very able gentleman, and one of whose qualifications the Secretary of State was fully aware—had not been selected for the appointment in question, which had been conferred on an English lawyer of the highest character and credit at the equity bar.

TURNPIKE ROADS.—QUESTION.

Sir BALDWIN LEIGHTON said, he would beg to ask the Secretary of State for the Home Department, Whether the power of Justices to order a contribution in aid of Turnpike Roads, where the funds of the Turnpike Trust are insufficient, continues in districts in which the new Highway Act, 25 & 26 *Vict.*, c. 61, has been adopted; and, if so, on whom the order is to be made, and how the amount is to be recovered?

Sir GEORGE GREY said, in reply, that the Question of the hon. Baronet was a point which turned upon the construction of an Act of Parliament, and he could not undertake to give any positive opinion with respect to it. All the powers enjoyed by their predecessors had been transferred to the new Board, and he believed the Justices could make the order in question, but he repeated that he could not speak confidently upon the subject.

SIEGE OF PUEBLA.—QUESTION.

Mr. R. P. LONG said, he wished to ask the Under Secretary of State for Foreign Affairs, If the statement of James L. Hart is correct: viz. "The Vice Consuls of the United States of America and of Prussia have retired from the French Camp" (at Puebla), "and have been unsuccessful in their mission in asking that the women and children might be allowed to leave the beleaguered city;" and whether any Representative of Great Britain took part in such mission or remonstrance?

Mr. LAYARD replied, that he knew nothing of Mr. Hart's statement, and Her Majesty's Government had received no information whatever upon the subject.

SEIZURE OF A FRENCH VESSEL BY H.M.S. "ZEBRA."—QUESTION.

Mr. ADDINGTON said, he would beg to ask the Secretary to the Admiralty, Whether any official intelligence has been received of the circumstances under which a French Vessel, recently detained by Her

Majesty's Ship *Zebra*, on the west coast of Africa, on suspicion of being engaged in the Slave Trade, refused to show any papers authorizing her to hoist the French Flag, and was subsequently liberated by the Prize Court at Sierra Leone; and whether the decision of the Prize Court will involve the Officer in command of Her Majesty's ship *Zebra* in any demand for compensation for the capture and detention of the suspected slaver?

LORD CLARENCE PAGET said, in reply, that in answer to the Question of the hon. Gentleman, he had to state that the Admiralty had received official intelligence of the detention of a French vessel by Her Majesty's Ship *Zebra* under the following circumstances:—The *Zebra*, while at anchor in February last off the Congo river, saw a suspicious-looking vessel, and made signals to her to show her colours. The vessel did not do so, and then the *Zebra* got under weigh and chased her; and after a shot had been fired across her bows, she showed the French colours and hove-to. The English Officer then boarded her in order to ascertain her real character, and from her look inside, as well as the nature of her equipment and the condition of her crew, he thought she had every appearance of being engaged in the Slave Trade. The captain of the French vessel, however, declined altogether to show his papers; whereupon the Commanding Officer of the *Zebra* took her in tow, with the view of communicating with a French man-of-war which he expected to fall in with. But after the lapse of several days he found that he was unsuccessful in that object, and he then reiterated his demand that the French captain should show his papers. He persisted in declining to do so, and thereupon the English captain sent the French vessel, in the charge of an Officer and crew, to Sierra Leone, for adjudication in the Admiralty Court there. Three days after she arrived at Sierra Leone the trial took place. The French Consul then brought into Court the papers of the vessel, showing that she was a French ship, and she was accordingly at once liberated. There was no written apology from the French Consul; but the Officer of the *Zebra* stated in his report that the French Consul had apologized for the behaviour of the captain of the French vessel in not showing her papers when desired to do so. With regard to the second part of the hon. Gentleman's Question, he had to state that no demand for compensation had been presented to Her Majesty's Government.

TELEGRAPHIC CABLE BETWEEN MALTA AND ALEXANDRIA.

QUESTION.

SIR WILLIAM GALLWEY said, he wished to ask the Secretary to the Treasury, If he will lay upon the table of the House a Return of all Monies voted by Parliament or contributed from the Indian Government for making, transporting from this country, and laying the Cable now working between Malta and Alexandria, with a detail of all payments made to Messrs. Glass and Elliott, relative to this Cable previous to its being opened to the public; also, a Copy of the Lease to Messrs. Glass and Elliott, by whom this line is worked, with the gross receipts since such Lease was granted.

MR. PEEL replied, that there would be no objection to give the House the necessary information. There was no Vote for the line, except a sum of £200 for the salary of an officer employed on behalf of the Government to act as a check on the contractor.

SIR WILLIAM GALLWEY said, he wished to know, whether the right hon. Gentleman would consent to postpone the Vote until the House had some information as to what had become of the large items to which his Question related?

MR. PEEL: We propose to take the Vote in its order.

IRISH SEA FISHERIES.—QUESTION.

SIR EDWARD GROGAN said, he rose to ask the President of the Board of Trade, If the Royal Commissioners of Inquiry, about to be appointed, will inquire into the Sea Fisheries of Ireland?

MR. MILNER GIBSON, in reply, said, the Government thought it desirable that the Commission should extend its inquiries into the sea fisheries along the coast of Ireland.

COLONEL FRENCH said, he wished to know, whether, as the House was prevented from proceeding with the Irish Fisheries Bill that day at a morning sitting, as proposed, in consequence of the count-out on the previous evening, the Government meant to bring it on at a morning sitting this week?

SIR ROBERT PEEL: We propose to take it on Friday morning.

THE INTERNATIONAL EXHIBITION BUILDING.—QUESTION.

LORD ELCHO said, he wished to ask the First Commissioner of Works, Whether any Survey has been made by a competent Surveyor of the present state of the Exhibition building of 1862; and, if so, whether he will lay such Survey on the table before any Vote for the purchase of the building is brought forward?

MR. COWPER replied, that the building had been carefully surveyed by Mr. Hunt, the Surveyor of the Office of Works, and the estimate which he formed of the building as the result of those inquiries was moved for last night and would be presented to-morrow morning, and would at once be placed in the hands of Members.

LORD ELCHO said, his Question referred to the Report of the Surveyor, whether he has made a Report to the Government, and whether his right hon. Friend will lay that Report before Parliament?

MR. COWPER replied, that he could not say at that moment whether there was any document in existence which would convey the opinion of the Surveyor to the House. He knew that the Surveyor had formed an opinion, but he was unable to answer the question as to the presentation of the Report till to-morrow.

ENGLISH CHURCH SERVICES IN WALES BILL.—QUESTION.

COLONEL PENNANT said, he would beg to ask the right hon. Gentleman the Member for the University of Cambridge, Whether he intends to proceed with this Bill to-morrow?

MR. WALPOLE said, in reply, that as he understood that the Members for Wales had had several conferences upon the subject of this measure, and thought that they could put it into such a shape as would meet the approbation of all parties interested, he should postpone the further proceeding with the Bill until Friday week.

RELIEF OF CASUAL POOR. QUESTION.

VICOUNT RAYNHAM said, he wished to ask the President of the Poor Law Board, Whether parochial authorities have power to refuse at any time the admission into workhouses of persons who apply for relief as casual poor?

MR. C. P. VILLIERS said, in reply, that by law every person who was really destitute, was entitled to relief upon application, and the responsibility of making arrangements for affording such relief rested with the Guardians of the Union or the officers of the parish in which the destitution occurred. The workhouse being full on any particular occasion would not relieve the authorities from that responsibility. He would state that the complaint mentioned by the noble Lord last evening had been received at the Poor Law Board, and directions had been given that it should be inquired into.

UNIFORMITY ACT.—RESOLUTION.

MR. BUXTON said, he rose to move the following Resolution:—

> "That, in the opinion of this House, the subscription required from the Clergy to the Thirty-nine Articles, and to the Prayer Book, ought to be relaxed."

He had adopted the form of a Resolution instead of bringing forward a Bill, because he thought that it would be much better for him, as a private individual, simply to elicit what he hoped would be the favourable opinion of the House, and that the expression of that opinion might lead to some action on the part of the Government. He felt that it was the Government which ought to deal with the Church, and that all a private Member could hope to do would be to show them that the feeling of the country would justify them in bringing forward a proposal of their own devising. With regard to the Petitions that had been presented against his Motion, he had been informed that strenuous pains had been taken by a certain school to arouse as loud an opposition as possible to the proposal before them. But an immense body of the clergy had not expressed any opinion against it. It had been proposed to him by an eminent clergyman to invite the signatures of the clergy to a Petition in favour of his Motion, and he had little doubt that a large amount of support might in that way be obtained; but, on consideration, it had been thought hardly fair to ask the clergy to sign such a Petition, because of the embarrassment it might cause them to express their disapproval of subscriptions which they had already made, or might again be called upon to make in case of promotion. Not many years ago, however, 3,800 clergymen signed a Petition, in which they stated that certain phrases in the Prayer Book imposed a heavy burden on their consciences, and surely such men must wish for some relaxation at any rate of the declaration of assent to all and everything which that book contained. The Motion was not brought forward in a spirit in any way hostile to the Church of which he was a member. In fact, he only wished the Motion to be tried by this test—would it tend to benefit or to injure the Church of England? If it would tend to injure the Established Church, by all means let it be thrown out. If, on the other hand, it would in reality help to strengthen the Church of England, then he trusted that no mere prejudice would be allowed to stand in its way. It had been a clergyman who first urged him to bring the subject forward, and he had been acting with the advice and co-operation of clergymen, some of them very distinguished men, and who strongly felt, as he did himself, that should the Motion be carried, it would enlarge the boundaries of the Church, and root her more deeply than ever in the affections of the people. The most enlightened of the clergy had begun to perceive that subscriptions were not a benefit, but a burden, to the Established Church. The Bishop of London had lately stated that "after pondering the subject, he had come to the conclusion that the subscription to the Prayer Book was unnecessary, and consequently mischievous." The Bishop of St. Davids also expressed the opinion that the subscription was utterly useless, and that its origin created a very strong, natural, and just prejudice against it. Four bishops had lately voted for doing away with that subscription, while thirteen others refrained from voting at all, only eleven being found to Vote in favour of its maintenance. Dr. Vaughan, who might, if he had chosen, have been a bishop of the Church, had stated that he "should be glad to see these forms reconsidered and revised, in the conviction that those whom they distress or exclude are in many cases among the very worthiest to be employed in the service of the Church." The Rev. Dr. Stanley, one of the most distinguished ornaments of the Church, had lately written a powerful pamphlet on the same side, and numbers of other clergymen had advocated the same view. No one, then, had a right to say that the Motion was intended as an attack upon the Church.

He would further deprecate the idea that the recent stir caused by various theological writers had had anything whatever to do with his proposal, which had been under his consideration for more than two years. Nor, again, was he speaking on behalf of any school or section of the Church. His desire was to relieve the clergy, whatever their specific views might be, from what many of them felt to be a distressing bondage, and, at the same time, to enable many whom those barriers shut out to serve the Church as her ministers. It was however, no mere clerical question. It was the laity who were most really interested. It was rather for the good of the whole body of Churchmen than for that of the ministers of the Church, that it should stand upon the firmest basis and be in perfect harmony with all that was highest in thought and feeling. Now, it must be understood that this Motion did not touch on the revision of the Liturgy or any change in the form of worship; its aim was to get rid of the stringent tests to which every clergyman was now subjected, both when ordained and on every promotion. Those tests were so numerous and so complicated that he should only weary the House by detailing them. They came, however, to this—that in the course of a clergyman's career he might find himself called upon to make seven oaths of allegiance and supremacy, six declarations of assent to the Prayer Book and nine to the Articles. It had been justly said by Lord Ebury that that was indeed swearing with a vengeance.

The upshot of the declarations thus repeatedly exacted was this—First of all, the clergyman had to declare that he would conform to the Liturgy of the Church of England as it was by law established. That promise seemed most reasonable, and he had no wish to touch it. Besides that, the clergyman had to declare that he willingly and from his heart acknowledged all and every of the Thirty-nine Articles to be agreeable to the Word of God, and to declare his unfeigned assent to the same. Thirdly, he had to declare his unfeigned assent and consent to all and everything contained in the Book of Common Prayer, expressly including the Ordination Service and all the other services. His object was to relieve the clergy from making the last two declarations. There was an essential distinction between the subscription he proposed to leave and the two which he sought to abolish. The former was simply a promise of performance; the two latter were declarations of belief, Now, he himself held the principle that it was never wise and never right to require men to declare their belief in a prescribed code of doctrine; but, whether that were a general truth or not, at any rate the objections to so doing in that case were most powerful. They called upon a man to give a solemn declaration of his belief, while at the same time they threatened, that if it fell short in one iota or one tittle from a minute standard, his career in after-life should be cut short, he should not obtain the external advantages that might await him, and should be debarred from the holy work for which his soul thirsted. They at first called upon him to make these declarations in early life, when perhaps his mind might be full of the crude theories which intelligent youths were so fond of framing, and which so often faded away under the growth of good sense; or when perhaps his mind had been little given to such matters, and he was unfit to bind himself down at all. Afterwards they again exacted these declarations from him, when, if he were a man of thought, he must have worked his own way among theological questions, and could scarcely have failed to form opinions bear- the stamp of his own mind. And yet they demanded from him in both these cases that in phrases constructed with careful skill to prevent any possible evasion he should state that he accepted every sentence and every word contained in two large books. No one could admire the sublime piety and beauty of the Prayer Book more than he did; but who could dare to assert that there was neither in that book nor in the Thirty-nine Articles, from one end to the other, the least taint of error? Both of them were human compositions—both were composed in periods of vehement party feeling on religious matters. Let it be remembered, too, that not so much as a shadow of doubt or hesitation was allowed with regard to a single one of the doctrines touched upon, however slightly, in either of these two books. Had they, he would ask, the right, under a threat of rejection, to exact from these men, both at the outset of their career, and afterwards, when promotion was offered them, such an uncompromising, minute, stringent declaration that they from their soul accepted all and everything which those books contained? They all knew what disputes there had been in the Church upon many of the phrases employed in the Prayer Book; as, for instance in the Baptismal, Burial, and Ordination Services, in the Visitation of the Sick, and in the Athanasian Creed. The Thirty-nine Articles caused, perhaps, less perplexity; but even they contained some expressions to which many persons felt the strongest objection; as, for instance, the expression in the Ninth Article, on Original Sin, "that in every person born into this world it deserveth the wrath of God." Was it generous, was it just, to force every clergyman to declare his acceptance of every one of those much disputed phrases? He denied their right thus to bind the clergy. It was a trespass on their natural freedom, and forced upon their necks a yoke which there was no real authority for imposing.

He owned, however, that several objections suggested themselves with regard to his proposal which could not be lightly set aside. It is asked, if those subscriptions were removed, would they have sufficient security that the Church would not be plagued with men of sceptical and heretical opinions? His Low Church friends dreaded lest they should fall a prey to scarcely disguised Roman Catholics. His High Church friends were afraid that Methodists would invade the sacred precincts; and both parties together were alarmed lest the Broad Church should be reinforced. Now, he thought it was only with regard to the leading essential doctrines of the Church that uniformity of belief could either be wished for or attained. With that limitation he gave his unfeigned assent and consent to the principle that the clergy of the Church of England were to be Church of England clergymen—not heretics nor sceptics, nor Dissenters from her principles. To say nothing of those grounds which commended themselves more to the imagination, he took a matter-of-fact view of the point. The Church of England, the clergy, the services, the parish churches, were all meant for the good of the laity, for the edification and comfort of the people themselves; and that those laymen who belonged to and loved the Church of their forefathers, and by their tithes and rates supported the Church, had a right to claim that the rector of their parish should *bonâ fide* teach the doctrines of that Church, and not propagate strange dogmas, which might disturb and perhaps shock the consciences of his hearers. But it was a mere delusion to suppose that it was by those subscriptions that that necessary security was obtained. Supposing those subscriptions were done away with, there would still remain the promise of conformity. There would still remain the bishop's examination. There would still remain the Ordination Service, which no one could pass through unless he was *bonâ fide* a believer in the doctrines of the Established Church. But, above all that, the guarantee which was expressly provided to prevent any clergyman from trespassing beyond the boundaries of the Church of England was the law of the land. That law, as the recent judgment of Dr. Lushington in the case of Dr. Williams showed, required him to bound his preaching within the limits prescribed by the Thirty-nine Articles. That was a legitimate guarantee, and they had no right, because the machinery was costly and hard to move, to substitute for the law of the land a series of tests applied to the conscience of the clergyman. Nothing could be more fair than to say to clergymen, that if they contravened in their preaching the doctrines of the Church as defined by her express exposition of them, they should be removed from their positions. Nothing, on the other hand, could be more unfair than to say, that because it cost a large sum of money so to enforce the law, therefore they would subject them to that shibboleth—a thousand times more severe and stringent than what the law laid down. Let them observe how strange it was to require a man to declare his assent to all the doctrines contained, not in the authentic exposition of the doctrines of the Church like the Thirty-nine Articles —but to those incidentally touched upon in a mere book of devotion like the Prayer Book. They would still then have the securities of the promise to conform, of the bishop's examination, the Ordination Service, and the law of the land. He believed that even without those external securities they would be safe. He was persuaded that few men would dare to occupy the sacred place of a minister of the Established Church while conscious of dissenting from her main doctrines. In such a case it was wise as well as generous to place great faith in men's honesty; and, in fact, were they not honest, no tests would be valid. The direct tendency of such barriers was to shut out the men of the larger thought and the most delicate honour, but to let in anybody who enjoyed the advantages of a blunt mind and a thick-skinned conscience. It was a curious fact that the Church of Geneva was actually persuaded by an English bishop—Bishop Burnet—to give up subscriptions; and the argument he used was that the worthiest men were thus driven away, "while," said he, "others are induced to submit and begin their ministry with mental equivocations."

The next question that arose was, whether his proposal went far enough to be of any use; and it was alleged that the abolition of the tests could do no more for the freedom of the Church than was already done for her, inasmuch as the bishops almost always made a point of assuring candidates that the words of the subscriptions were not to be taken literally, but only expressed a general conformity with the doctrines of the Articles and the Prayer Book. He rejoiced that the bishops were so wise and kindly as to do that. But surely nothing could more utterly condemn the tests than this—that the very bishops of the Church should be driven to inculcate on candidates for ordination some of that equivocation alluded to by Bishop Burnet. But then, it was said, that were these subscriptions done away, the effect would be that men would read the services of the Church all the while disagreeing with things contained in them. He hoped he had already proved that there would still be ample security that only those who agreed with the main fundamental doctrines of the Church would serve at her altars. There would only be scope for difference of opinion on the lesser points of Christian doctrine. Those who used that argument, in the very same breath put forward the other argument, that already the bishops themselves assured the candidates that it was only a general conformity that was exacted from them. The position, therefore, of the clergyman in reading phrases from which he might dissent would be the very same as it was at that time, with the approval of the bishop, and of all sensible men. In fact, it was only common sense that the clergy being human—the Prayer Book, too, being a human compilation—they could not possibly read it without dissent from some parts of it, if their minds had any life in them at all. Nobody was deceived by their doing so; and though he himself should rejoice to see some alterations at least of the Rubrics, that would give them more liberty, he could not think that a man played a false part in reading a prescribed form with which he agreed in the main, though disapproving it here and there. But it was a very different thing, indeed, to require them, before reading it, to declare, in the sight of God and man, that they assented to all and everything which it contained; and he vouched for the fact that many men did feel that to be terrible, whose sense of honour would not be seriously harassed by performing the services which the Church had ordained.

He then came to the last objection. He believed that what mainly influenced those who were most opposed to the reform he proposed was the fear, that if one step were taken towards alteration, no one could say where change might cease. Many wise and good men thought it far better to keep the Church of England exactly as it was, not to touch the least part of its arrangements, even with the lightest finger, lest they should pave the way to more sweeping changes. But he would put it to the good sense of the House, whether, in those days of progress and freedom of thought, it would be, in truth, a far-sighted policy for those who loved the Church of England to shut their ears to all suggestions of improvement, and allow nothing whatever to be done to amend even one single deficiency or fault. If the Church remained always at a stand-still, would she not in the advances of the time be left behind? Had not all experience shown that in human affairs, if they would not have reform, they must have either revolution or decay? As the noble Viscount at the head of the Government had said in one of his late speeches in Scotland, that which was stagnant must become vitiated and corrupt. In the case before the House his proposal was the milder of two alternatives. A very strong feeling had arisen of late years in favour of alterations in the Liturgy; a vast number of clergymen felt themselves hampered by some of its expressions. One remedy was, to cut out those phrases which gave them pain; but the difficulties in the way of that course were great—he need not dwell upon them then—but surely those who shrank from alterations in the Prayer Book and Articles ought to support the far less sweeping alternative which he proposed — namely, without touching those books, to relieve the clergy from declaring their acceptance of all and everything which either of them contained.

He repudiated the idea that he was proposing any revolutionary or radical change. If those tests had been a legacy from the golden days of the Church of England, if they had come from her great statesmen, her great theologians, her noble army of martyrs, then indeed they might be looked at with reverence. That was not, however, the case. They were ugly excrescences stuck upon the Church in evil times. Until the thirteenth year of Queen Elizabeth no subscriptions were enforced upon the clergy. Her first Act of Uniformity did not exact them; and even her second Act of Uniformity, which was still in force, only required subscription to a portion of the Articles, not to the whole of them, or to the Prayer Book. It was not until the twenty-fifth year of Queen Elizabeth's reign, when, as one historian said, "her jealous and arbitrary character was assuming its most repulsive aspect," that she allowed Archbishop Whitgift to publish his "Orders to the Church," which required subscription to all the Articles and to the Prayer Book. But he would observe—for it was a point of great importance—that those measures were most earnestly opposed by the great statesmen of that reign. The noble Lord the Member for Stamford (Lord R. Cecil) would no doubt take part in the discussion, and probably would pour out the vials of his wrath upon his (Mr. Buxton's) devoted head. But if the noble Lord wished to be true to the illustrious name he bore, he ought to vote in favour of this Motion, for among those who strongly remonstrated against those orders to the Church—first and foremost stood the name of Cecil, Lord Burleigh. Those orders, however, had become obsolete. It was James I. to whom the next step in stringency was owing—namely, the subscription to the three Articles of the 36th Canon. These bonds were imposed after the Hampton Court Conference, and the spirit by which King James and those who acted with him were actuated, was sufficiently indicated by the threat with which the second day's conference was ended by the King, when he told the Puritan party, that "if they conformed not, he would harry them out of the land, or worse." The next step was taken by Charles I. at the instigation of Archbishop Laud; when the Declaration was prefixed to the Thirty-nine Articles, requiring them to be taken in their literal and grammatical sense. That might seem stringency enough; but when the Church of England had been restored under Charles II. after many years of grievous suffering and unparalleled religious bitterness, the violent bigots who, unhappily, at that time bore sway, discovered means of making the portals of the Church even more narrow; and that was done, as the Bishop of London stated in his recent charge, "for the express purpose of driving out of the Church many whom they would now-a-days be very glad to see employed as her ministers." The spirit of that shameful time and of the bigots who then bore sway was sufficiently indicated by the Act of Conformity requiring those who did not conform to the

Church to abjure the kingdom under pain of death, and by the Five Mile Act and other atrocities. He should think that every loyal Churchman would be glad to rid the Church of these chains wound round her by such base men for such base purposes. At any rate, he (Mr. Buxton) was not seeking to revolutionize, or to innovate, but to restore. He was seeking to restore to the Church the freedom that ennobled her in her most glorious days. The objections then, to his proposal, were serious, but did not seem overwhelming.

Now, let them look at the inducements for making the proposed change. One powerful motive was this, that, as things stood, men were perforce driven to tamper with their own truthfulness. They were driven to make these declarations while inwardly protesting against them. They passed through the anguish of a struggle between their profound love of truth and their earnest desire to serve God and their fellow-man by acting as Ministers of the Church. The bishops, as he had already said, in most cases took infinite pains to soften down the sharp edges of these tests; but, in spite of that, there was many and many a clergyman who could not take these subscriptions without the feeling—the strange and bitter feeling—that in doing so he was not acting with that clear and stainless sincerity which adorned his every other word and deed. He (Mr. Buxton) did not for one moment dream of blaming those who accepted the subscriptions, even with that very mental reservation which the words of them were intended to prevent; but he strongly sympathized with those who felt the task a hateful one, and, at the same time, he could not but perceive that the honour of the Church was in some degree in question. The laity were shrewd enough to observe that it was not possible for 20,000 clergymen really to have conformed in every particular of their belief to one minute and arbitrary standard. They knew that there must have been some sort of evasion, some wilful blindness; and many bitter remarks were made by the enemies of the Church to that effect. He would not dwell upon that point, for it was a painful one; but only too much evidence could be adduced of the increasing feeling that some stain, however light, of untruthfulness, rested upon what ought to be the unsullied reputation of the clergy. He was sure that even those who were most opposed to his Motion would allow that it was a most serious evil to force young clergymen at the very outset of their sacred career to be guilty even of the least disloyalty to truth and honour, and that it was also a serious evil that they should present any semblance of insincerity to the eyes of laymen.

But the main motive for some relaxation of those tests still remained. It would not, perhaps, be prudent for the moment for him to touch on that motive, but he should not feel satisfied, nor did he in the long run think it would be wise, to throw any veil over the real principle by which he was actuated in bringing the subject forward. He had already pointed out that strong influences would in any case be at work to withhold the clergy from vexing the ears of their parishioners with teachings alien from the fundamental doctrines of the Church; but within those reasonable bounds it would be well for the clergy, for those who heard them, and for the intellectual and religious life of the nation that its teachers should have scope and latitude to think out their own thoughts. As things stood this was utterly denied them. They had given their positive adhesion to every sentence in the whole Book of Prayer—to every sentence in the Articles. There could scarcely be a single doctrine of theology which was not touched upon in the one or the other. The Articles alone were said to contain more than 600 propositions. Virtually, therefore, every clergyman had tied himself down to a specific conclusion on every question of theology. How could the minds of ministers of the Church work vigorously upon Christian truth while they were forbidden to move one inch beyond the notions that happened to prevail in the days of Charles II.? Any one who was in the habit of thinking would feel how heavy would be the bondage to be hemmed in by such declarations. They well knew that it was a part of human nature developed in clergymen as well as other men to be always looking to promotion. The curate hoped to be a rector, the rector to be an archdeacon, the archdeacon to be a bishop, the bishop to hold sway over Canterbury or York. But unless the subscriptions were mere dead things, of no use to anybody, the clergyman must always feel, that if he dared to think largely, even without for a moment forsaking the main doctrines of the Church, still he might run counter to his former declarations and might disable himself from accepting promotion in days to come. Shakspeare had said—

"Sure He that made us with such large discourse,
Looking before and after, gave us not
That capability and force of reason
To rust in us unused!"

But if the clergyman looked before, he saw the subscriptions he had taken already; if he looked after, he saw the one he might some day have to take; and the more he left that force of reason to rust in him unused, the better for him and for his family. Some, however, might think it well that the intellect of the clergy should be curbed. He should be sorry if that was the opinion of those who heard him. If the Church of England was to hold her own, the minds of her ministers must work boldly and with force. They must not merely repeat like parrots the phrases that had come down to them from the days of old. They must work out truth for themselves. It was neither to be wished nor hoped that all the teachers of the Church should cut their views to one precise pattern. If there was to be life among them, there could not be uniformity; but unity of spirit there might be amid ten thousand varieties of form. It was not to be supposed, that while the minds of men were ranging freely over every other region of thought, one great field of truth should be tabooed, and tabooed to those very men who were to be teachers and guides of the people. Why, the clergy ought to lead the religious thought of the age. They ought to be ever widening and deepening the knowledge of the people in Christian truth; but the tendency of those restrictions was to hold them in, and force them to follow with timid steps far behind the public intelligence. That was not the true position in which the Church should stand, and the danger was that it might thus become severed from the intelligence of the country.

That process had begun. No doubt many able and thoughtful men still joined the Church, but the falling-off in the candidates for ordination from the Universities was deplorable. By the recent returns it appeared that in the last twenty years the number of young men from Oxford and Cambridge who wished to take Orders had fallen off from 242 to 120 at Oxford, and from 270 to 178 at Cambridge; while, on the other hand, the literates, who had not received a University education, had increased threefold. The falling-off, if measured by the honours the candidates had taken, was still more remarkable. It might be alleged that that falling-off was owing not to theological but to pecuniary obstacles; but he was assured by University men who ought to know, that that was not the case. He held in his hand a letter from an Oxford man who would have been an ornament to the Church, and who wrote to him that he was but one of a large number who had reluctantly abandoned the intention of taking orders, and that it was the inforcement of these tests which mainly drove men away. The truth was, that of late years, owing to the ecclesiastical causes that had been tried and the judgments that had been delivered, the subscriptions had become far more stringent than formerly. The doctrines of the Church had unhappily grown more precisely definite; and, meanwhile, men's minds had been learning far greater daring in dealing with truth, and uniformity of belief had become every day less possible. Be that good or evil, no folly could be greater than that of trying to stay that stir of mind and tide of thought with such wretched barriers as these. If the Church still required from young men such an abnegation of all mental freedom, the worthiest would be the first to shrink from such a degrading bondage. Surely the friends of the Church must wish her to be in very deed a national Church. Surely they could not wish her to be narrow and sectarian.

He was afraid he had troubled the House too long, but he would only further observe that the cry—the stale and shallow cry—would doubtless be raised of "The Church in danger!" It was wonderful how those who boasted to be the friends of the Church could think so ill of her as to fancy, that were she not fenced in here and shored up there, she would totter to her fall. During our own time it seemed to him she had been growing, and was still growing, more powerful, more beneficent, and more beloved. To her might be applied the words of the poet—

"Higher yet her star ascends;
Traveller, blessedness and light,
Peace and truth, her course portends."

And yet there was danger to the Church. Two policies were open to her. If she chose to be, not national, but narrow and sectarian; if she drove from her the intellect of the age; if she stubbornly withstood all progress, all reform; if she met the inevitable advance of the human mind, the inevitable growth of religious opinion, the novelties of speculation, the discoveries of science, not with strong and gentle reasoning but with paroxysms of fear and rage; if she displayed that which was of all things the most pitiful, the longing to persecute without the power, then, indeed, the day might come when, alienated from all that was most profound in thought and most generous in feeling, she might find herself forsaken and spurned by the English people. A far other career, he believed, was before her. Let men of the noblest minds feel that with the Church of England they had a welcome and a home; let her open her gates wider and shake off the bonds that cramped her; let her move onward with the age and lead the van of its religious thought; let her deal tenderly with error and grapple boldly with truth; and let her ministers be still foremost in every work of mercy—in short, instead of trusting to outward props, the handiwork of men, let her grow ever more glorious within, more pure, more noble, more profound—then they need not doubt that their children's children would still cleave to the Church which their fathers founded and sealed with their blood in the great days of old. In conclusion he begged to move the Resolution of which he had given notice.

MR. GRANT DUFF said, he had much pleasure in seconding the motion of his hon. Friend. Religious questions were proverbially difficult and dangerous. Old politicians avoided them as they would avoid snares and pitfalls, but it was time that somebody should speak out the truth about the matter before the House. Looking at the state of most of the countries of Western Europe, it was difficult to resist the conviction that religious questions would occupy a very large space in the history of the next twenty-five years; and if so, he was sure the statesmen of this country, although they would not go out of their way to seek them, would face and settle them, as their predecessors had faced and settled others. The questions of which he spoke would be very different from those which were debated upon the Church Wednesdays, about which so much had been said; and it by no means followed, that if they were to be treated as party questions at all, the lines which divided parties upon the old familiar questions would divide them upon the new ones. The country was unquestionably drifting as fast as it could to a religious revolution, which, whether it was called a reformation or a deformation, would be as great an historical event as that which made the sixteenth century eternally famous in the annals of mankind. The Legislature could neither bring it about nor prevent it, or, if they could, they ought not to do either. They could, however, take order, that when it came, it might be reasonable, peaceful, and not leave behind it furious hatreds like those which dated from the age of the great uprising against Rome. In what character, then, should they approach those questions? Solely and simply as politicians. As individuals they might have theological prepossessions, but in that House they were bound to lay them entirely aside. The times were much changed since the Acts which they wished to be considered passed into law. They were no longer a Church of England assembly. They were not a Protestant assembly. They were not an assembly composed of Christians belonging to one or other of the Churches of the West. They were not, since the legislation of 1858, even a Christian assembly, excepting so far as the doctrine taught by Christ had succeeded in diffusing its Divine spirit into all civilization, whether of Jew or Gentile. He, and many others in that House, had disapproved the existing subscriptions for many years past. But they had never in any way alluded to them there, because the question whether they should stand or fall had not been forced upon their consideration. That was the case no longer. What was the difficulty in the presence of which they found themselves? It was simply this,—that Dr. Lushington's judgment, although it gave a greater latitude to opinion than many believed possible within the Church, nevertheless insisted on a more exact and binding subscription to the Articles and to the Liturgy than that which up to that time had satisfied the consciences of many; and it appeared that great discomfort and anxiety to a large number of the clergy had been the result. The proposal by which his hon. Friend wished to meet that new and alarming exigency was a very moderate one. He did not ask to prevent bishops from prosecuting their clergy, nor even clergymen from prosecuting each other. Henceforward, however, if they agreed to his proposal, one element of malignity would be taken away from ecclesiastical controversy. The religious controversialist, in his differences with a clergyman, would not be able to say that he was a perjurer as well as a heretic; and all who knew anything of the amenities of the so-called religious press knew that that would be a great point gained. Experience showed that sensitive, scrupulous men were kept out of the Church far more effectually by tests than by fear of prosecutions. Men who felt some difficulty as to some of the six hundred different theological propositions in the Articles, or of the thousand more theological propositions in the Prayer Book, would risk prosecution. They could not, however, consent to do a thing which jarred against their sense of right; and so they were lost to the profession which suited them, and gained to other professions which often did not suit them. But it might be said that the proper course would be to leave these matters to be dealt with by the bishops, who would certainly not allow a heavier burden to be laid upon the consciences of their clergy than they were able to bear. But the bishops had not the power, even if they had the will, to do what was wanted in this matter; and too many of them were, thanks in no slight degree to the policy of the noble Lord the Member for Tiverton, sadly wanting in two great requisites for the useful discharge of their duties to the community—he meant learning and a conciliatory temper. The appointments to which he alluded served at least the noble Lord's turn very effectually. Week after week he figured in a certain newspaper as a sort of pendant to Mr. Greatheart in the *Pilgrim's Progress*. Some of the expressions which were used to glorify him were, indeed, to mere lay and unspiritual ears somewhat blasphemous and shocking. England learnt with surprise that her great Minister — that Minister whom she had been so long accustomed to associate with the powerful, but light and airy divinity of classical mythology, who

> "Semper ardentes acuit sagittas
> Cote cruentâ,"—

had, no doubt, by the process familiar to all those who had studied the early history of Christianity in southern Europe, developed in his old age into the "man of God." All Ministers, he might be told, would not be quite so reckless in their episcopal appointments as the noble Lord. All of them would not be men of God of the Tiverton type. They might have a better class of bishops. That might be so; but still, as long as Church and State were so closely knit together, there would always be a strong and almost invincible temptation to look first in all such appointments to the interest of the Minister, and only secondly to the interest of religion. In short, it came to this—that Parliament, and Parliament alone, could remedy the existing state of things, and it could apply a remedy safe, simple, and effectual. They asked for no difficult or complicated legislation. They proposed no changes in the Liturgy. They asked for no more than the Comprehension Bill which the House of Lords passed in 1689. They asked for the remedy which Halifax, Tillotson, and Burnet approved, which Nottingham and many of his High Church followers supported, and which was only lost in the House of Commons of that day in consequence of a most exceptional state of political and religious parties. They asked for a measure which, so far as it went, would relieve High Churchmen, Low Churchmen, and Broad Churchmen alike, and would greatly tend to the increase of charity, the highest of the Christian virtues.

Motion made, and Question proposed,

"That, in the opinion of this House, the subscription required from the Clergy to the Thirty-nine Articles, and to the Prayer Book, ought to be relaxed."—(*Mr. Buxton.*)

MR. MONCKTON MILNES: Sir, I regard with so much reverence the subject which my hon. Friend the Member for Maidstone has introduced, and with so much admiration the dignified and moderate manner in which he has introduced it, that I should scruple to utter anything with regard to it, did I not believe that this question is so great, and the interest attaching to it so large, that it is only becoming it should be debated in the very fullest manner, and that any objections which may be made to the speech of my hon. Friend should be made in the spirit of a friend rather than in the spirit of an antagonist. I own that at the first blush the question has so much about it that is fair and just, that it strikes every man not only as being in accordance with the spirit of the time, but that some such proposal as his is necessary to bring the legislation of the country into harmony with that spirit. I will not say that the question will not ultimately be settled in some such way, but I do see many decided difficulties in the way of this proposal at present; and I shall be very glad to be assisted by those who agree with my hon. Friend in removing those difficulties. In the first place, taking the Act of Subscription, will the change in any degree largely extend the spirit of toleration? The Articles of the Church of England, arising from fierce and earnest contests long ago, nevertheless bear upon their face the spirit of compromise, and a great desire to include within their sphere many different forms of metaphysical thought, and even various degrees of religious opinion. We know from history how many men have signed those Articles conscientiously, and adhered to them faithfully, yet, nevertheless, have differed so strongly as almost to found different schools of theology. These Articles are the laws of the Church, and the object of this Motion is that persons should be allowed to adminster these laws who have not subscribed a declaration of their agreement with them. Of course, my hon. Friend will reply that we are all subject to the laws of this country, but that we make no subscription to them. But I do not see that by abolishing subscription my hon. Friend can avoid the persecutions, as he would call them, the controversies, and the difficulties which occur in the Church. He can do, he can propose to do, nothing more than solve a certain metaphysical problem which he says would give relief to certain persons in the Church. This in itself would be a very desirable object, if its attainment was not unaccompanied by certain practical objections. Take away subscription to the Articles, and you in a great degree destroy the force of those Articles as a code of law. Destroy them, and you will go far to establish an unwritten law of the Church of England—a law of public opinion. I believe the law of public opinion in religious matters to be far more intolerant, and far less favourable to liberty of thought, than the law of the Church of England. Take, for instance, the controversy which is now agitating many minds as to the disputed or anonymous books of the Old Testament. On that point the Articles give no opinion whatever, and the Court of Arches upheld perfect freedom of opinion ; but the public opinion of the Church comes in and says :—" You shall not have freedom of opinion ; we will, if we can, suppress persons who hold opinions upon the matter with which we do not agree. My hon. Friend said that the tendency of late times has been to narrow the operation of the Articles. In a certain sense that is true ; but that limitation has not arisen from the action of the Church, but from the operation of public opinion. The Articles of the Church have gradually been interpreted in a more and more liberal sense, although it is perfectly true that the public opinion of this country does not admit of so liberal an interpretation of them as was given by Bishops Burnet, Bull, and Tillotson. That is not the fault of the Articles themselves, but of public opinion. I do not believe that you will in any degree increase the freedom of the Church of England by abolishing or in any degree undermining the authority of the Articles. You have there a large and liberal code of theology fought out long ago in tremendous conflicts by men of very diverse opinions, and you have a legal authority which is to decide as to the meaning of these Articles. I attach immense importance to the maintenance of that system. It is of great value to the freedom of opinion in the Church of England that it should not be submitted to any sacerdotal inquisition. It is not now submitted to any such inquisition. The Articles are codes of law, imperfect as codes of law must be ; but they admit of very large interpretation, and they are interpreted by men of judicial minds, who, as far as their influence goes, will not assist persecution, but rather extend toleration in the Church. There appears to me to be another objection, of a totally different nature, to the proposal of my hon. Friend. It is this :—The Church of England is a State Church, and possesses very large revenues, which are objects of interest and, probably, of envy to many other religious communities. If you destroy the authority of the Articles of the Church, if you take away the code of law, where can you safely, where can you fairly say is the right of the Church of England to retain its large property and wealth ? If there is to be no difference in matters of opinion between the Church of England and any Dissenting body, what right has the Church of England to hold the property which it now possesses ? [Mr. HADFIELD : Hear, hear!] I hear the familiar cheer of the hon. Member for Sheffield. He asserts that the Church of England has no right to that property, and I am sure that he will not be slow to take advantage of every facility which may be afforded to him by the enforcement of his arguments. The right of the Church of England to its property must, in a certain degree, depend upon the preservation of the historical chain. If you make it start afresh, as my hon. Friend would do,—if you make it start anew as one religious communion among many, I, for one, cannot say that I could any longer defend it as a State Church in the possession of the powers and immunities which it now enjoys.

These arguments, however, do not seem to me to apply to the whole of my hon. Friend's Motion. There is one part of it which I think may be made acceptable to the House, and which, I am sure, would be acceptable to the country. The House is aware that among the declarations which are made under certain circumstances by persons accepting advowsons and dignities in the Church of England, they declare their unfeigned assent and consent to every proposition contained in the Liturgy of the Church. That stands out as a special subscription, totally different in spirit from any other which is made by the members of the Church. We all know the unfortunate political circumstances in which that subscription originated. We know that it was enforced for a hard and cruel purpose of which we all alike disapprove. The Book of Common Prayer is an Act of Parliament, and if the legislation as regards that subscription was relaxed by a substitution for it of the declaration of conformity to the provisions of the Prayer Book, and a belief that they contain the Word of God, which is used upon other occasions, such a proposition would, I believe, meet with very general acceptance—I believe I may say with almost universal favour in that branch of the Legislature which may be considered peculiarly suited for discussions of these subjects. The opinions of the heads of the Church have been expressed upon this matter, and several of the most learned and pious of them have declared that they could see no difficulty whatever in the way of this change. I know that it has been asserted with great eloquence that by tampering with this matter at all, that by touching the question of "unfeigned assent and consent" you would in some degree give a sanction to a feigned assent and consent; but I believe that that is an erroneous idea, and that it is one which would never suggest itself to the mind of any man whatever. I believe, that if you accept the Amendment which I propose, and the object of which is to confine the action of the Resolution to the Book of Common Prayer, you will in no degree derogate from the integrity of the Church, or diminish its power or influence, but that you will simply do a political right in expiation of a political wrong. That subscription originated in political motives, and upon political grounds: I ask you to assent to the substitution for it of some declaration which shall be acceptable to the members of the Church. In doing this I am actuated by the same desire as has influenced my hon. Friend to prevent the exclusion from the Church of England of men of growing and increasing intelligence. There is no doubt that the diminution of the intellectual power of the clergy is a most grave and important fact, and one which is likely to tell seriously upon the intellectual and moral condition of the people. Modern legislation, you must recollect, has gone far to pauperize the Church of England as a State institution. You have of late years done a great deal to diminish the temptations to men to enter the Church from secular or professional motives. You have abolished a large number of Church dignities. You have prohibited the holding by any one person of several livings, which might place him in a position of independence and dignity; and you have forced upon your bishops a mode of life incompatible with dignity, with ease, and repose. They are now as continually engaged in railway travelling and as constantly engaged in the discharge of their functions as any professional men in this country. You have done all in your power to destroy the social dignity of the Church. What is left you? Its intellectual and spiritual dignity. Notwithstanding all this, I agree with my hon. Friend that the influence of the Church of England is enormously increasing. Look at the immense number of churches that have been built by private and individual energy. That is all true. The lay portion of the Church is sound; the lay portion of the Church is active and intelligent. Do all that you possibly can to extend the liberty and increase the energy of the Church; but, at the same time, do not rashly or unadvisedly do anything which may seem to give a momentary relief, but which, when seriously and historically considered, will be found to expose the Church of England to the attacks of popular violence by destroying those large and effective safeguards which were established by our ancestors. The hon. Gentleman concluded by moving an Amendment limiting the operation of the Motion to subscription to the Prayer Book.

Mr. DUNLOP seconded the Amendment.

Amendment proposed, to leave out the words "Thirty-nine Articles, and to the."—(*Mr. Monckton Milnes.*)

Sir GEORGE GREY said, he rose thus early in the debate because he was anxious to state, on the part of the Government, the course which they felt it their duty to take on the important question which had been submitted for the consideration of the House. In doing so he trusted he should be able to imitate the calm and moderate tone which had characterized the speeches of his hon. Friends who had preceded him, who had shown how much they appreciated the importance of the question by the character of the arguments which they had addressed to the House. A consideration of the importance of the question had induced the Government to come to the conclusion that it was inexpedient to affirm either the original Resolution or the Amendment which had been proposed; but, at the same time, they were not prepared, by meeting the Resolution with a direct negative, to say that in their opinion the law as it stood with regard to subscription to the Articles or declaration of conformity to the Liturgy was in a satisfactory state, or that it might not be altered and amended with a due regard to the interests of the Church, and without impairing the security for the maintenance of the doctrine of the Church as contained in the Articles and Liturgy. The hon. Member for Maidstone (Mr. Buxton) proposed a Resolution declaring that the subscription required from the clergy to the Thirty-nine Articles and the Prayer Book ought to be relaxed; but he had not been able to ascertain, either from the speech of the hon. Gentleman himself or that of his hon. Friend who seconded the Motion, to what extent they thought that relaxation ought to be carried—nor indeed the precise object the Resolution had in view. The same observation was applicable to the proposed Amendment; and he thought it would be most inexpedient to place on the records of the House a Resolution that the subscription and declaration required by law ought to be relaxed without specifying the extent to which the relaxation should be carried. The House ought not to condemn the existing law without stating clearly what it proposed to substitute for it. He thought that the hon. Member for Maidstone argued as if he were anxious that all declarations and subscriptions should be abolished, and the seconder of the Resolution certainly made no concealment that such was his opinion; and that with regard to subscription to the Articles, he would have no subscription to them, but would allow the clergy to enter the Church without any recorded avowal of their profession of conformity to them, leaving the clergy liable to the penalties they would incur if, on entering the Church with an implied assent to the Articles, they did not teach the doctrines asserted in them, or did teach doctrines contrary to them, or for acting in nonconformity with the Liturgy of the Church. The hon. Member stated that recent decisions in Ecclesiastical Courts with respect to the doctrines of the Church had tended more accurately to define those doctrines, and had thereby narrowed the door of the Church to clergymen who might feel conscientious difficulties on certain points. But if the hon. Member would leave the Articles and Liturgy unrevised, and yet have every clergyman bound to teach doctrines in conformity with them, he could not understand what possible relief would be afforded by dispensing with the necessity of subscribing to the Articles. With regard to the various declarations required from clergymen, he certainly did not think the law in a satisfactory state, and he was of opinion that a more simple and uniform declaration might be adopted. But his hon. Friend (Mr. Buxton) did not draw a sufficient distinction between the subscription to the Articles and the declaration of conformity to the Liturgy as now required by law. It was difficult, in fact, to ascertain what all those subscriptions were. The law, with regard to the Articles, was as follows:—Every beneficed clergyman must either subscribe or declare his assent to the Articles four times at least—first on ordination, by the 13 *Elizabeth*, c. 12, s. 5, which declared that none should be admitted to the order of deacon unless he first subscribed to the Articles. Subscription to the Articles, therefore, was a condition of ordination. By a subsequent clause the Act required that every person admitted to a benefice with cure must publicly read the Thirty-nine Articles in the Church at the time of common prayer, with a declaration of his unfeigned assent thereto, within two months after his induction. Again, by the 36th Canon, no person shall be received into the ministry of the Church of England unless he first subscribe to three Articles—the first acknowledging the Queen's supremacy, the second relative to the Book of Common Prayer, and the third acknowledging the Articles agreed upon in the Convocation of 1562 to be agreeable to the Word of God, adding the following declaration:—"I do willingly and *ex animo* subscribe to these three Articles abovementioned, and to all things contained therein." The same subscription and declaration was again required by that Canon on admission to any living. Now, it seemed to him (Sir George Grey) perfectly reasonable that the Established Church or any Church, admitting a minister to teach in conformity with its doctrines, ought to have a clear and definite standard in reference to those doctrines, and it was not unreasonable to require from the minister so admitted an express declaration that he believed the Articles to be in conformity with the Holy Scriptures. With regard to the Liturgy the case was different. The Act of Elizabeth said nothing with respect to the Book of Common Prayer, but the second Article of the three required by the 36th Canon to be subscribed to by every clergyman upon ordination or admission to a benefice was this:—

> "That the Book of Common Prayer containeth in it nothing contrary to the Word of God, and that it may be lawfully used, and that he will use the form therein prescribed in public prayer and administration of the sacraments, and none other."

The Act of Uniformity, however, contained a much more stringent declaration —that which his hon. Friend the Member for Pontefract (Mr. Monckton Milnes) wished to see revised. The 8th section of that Act requires that every person in holy orders, possessed of any ecclesiastical dignity or promotion, or curate's place, shall at or before his admission subscribe a declaration comprising these words:—"I will conform to the Liturgy of the Church of England as by law established." That was the only declaration of conformity to the Liturgy which a curate was bound to make; but, if he accepted a benefice, he was brought within the third, fourth, and sixth sections of the Act of Uniformity, by which every person presented to any ecclesiastical benefice or promotion, is required, within two months after possession, publicly on Sunday to read the morning and evening prayers, and after such reading publicly to declare his unfeigned assent and consent to the use of all things therein contained and prescribed in the following words:—

> "I do hereby declare my unfeigned assent and consent to all and everything contained and prescribed in and by the Book of Common Prayer."

It will be observed that in this form of declaration the words found in the clause itself, "the use of," are omitted. That was the declaration which his hon. Friend the Member for Pontefract (Mr. M. Milnes) wished to see removed from the statute-book, and he (Sir George Grey) agreed with him, because in his opinion it imposed unnecessary restrictions on men's consciences. The effect of the existing law was to require four distinct declarations from every beneficed clergyman of assent to the Liturgy, three of those declarations varying in their terms. He thought that these formed an unnecessary burden on men's consciences; that the very variation of the terms of subscription or declaration was liable to raise doubts; and that it would be expedient that a more simple form both of subscription to the Articles and of declaration of conformity to the Liturgy should be taken equally by all the clergy. He quite agreed with the hon. Member for Maidstone (Mr. Buxton) that the object was to obtain on the part of the clergy an honest agreement with the doctrines of the Established Church, and a declaration of conformity to the Book of Common Prayer; and that it was undesirable to go further, and thereby run the risk of narrowing the door of the Church, and excluding men with tender consciences on certain points from entering the Church. He must, however, say that neither the Resolution proposed by the hon. Member for Maidstone, nor the Amendment of the hon. Member for Pontefract, would define to what extent the various declarations he had referred to should be assimilated one to the other, or what should be omitted and what retained, and would consequently create uncertainty, and might lead to unreasonable expectations as to the length which Parliament was prepared to go in the direction of relaxation. He thought the House should be cautious in expressing an opinion in favour of the relaxation of these declarations without the most careful inquiry into these subscriptions, their origin, and cause; and any such inquiry ought to be intrusted to men in whom the Church generally had confidence. He did not see how such an inquiry was then to be instituted, and he therefore thought it inexpedient that the House should, without fuller consideration, and without a more definite object in view as to the nature of the relaxations to be made, especially at a time when the subject derived greater importance from the controversies which were going on within the Church, adopt the Resolution which had been proposed. Under the circumstances of the case the course which the Government had intended to take, had they not been precluded from doing so by the Amendment of the hon. Member for Pontefract, was to move the Previous Question. If his hon. Friend would withdraw his Amendment, he would make that Motion. He had simply to say, in conclusion, that the Government would not be unwilling to take into consideration the question of what relaxations might be made in those subscriptions, bearing in mind the paramount consideration of the necessity of not risking those honest securities which ought to be maintained in the case of men who professed to teach the doctrines of the Church.

Mr. MONCKTON MILNES said, that after the statement of the right hon. Baronet, he deemed it to be his duty to withdraw his Amendment.

Mr. HADFIELD :—I object to that course. The Amendment is the property of the House.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to*.

Original Question again proposed.

Sir GEORGE GREY moved the Previous Question.

Mr. NEWDEGATE said, he hoped the House would forgive him if, as a layman of the Church of England who had had personal experience of the protection which the subscription afforded to the laity, he expressed his regret that the Government had not adopted a more decided course. The proposal made by the hon. Member for Maidstone, whilst it might afford some increased liberty to the clergy, would impose upon the laity the necessity of submitting to a latitude of teaching which he, for one, must humbly deprecate. What was the fact? The provisions which restricted the clergy to the faithful preaching of the doctrines of the Church of England were the only security which the lay members of the Church had, that when they attended their place of worship, they would hear the doctrines of the Church faithfully preached. Having himself been placed in the unfortunate position of having for years been compelled to listen to a clergyman, who eventually declared himself a Dissenter, preaching doctrines most painful to his congregation, he hoped the House would forgive him urging the danger of any rash proceeding, and the importance of not allowing an interpretation of the Articles to be the only guide for the clergy. Learned and able as was the decision of Dr. Lushington, in a recent case, he felt himself, as every Churchman must have felt, that that distinguished Judge was in the position of one who was declaring and enforcing statute law without reference to common law. The Articles were an able exposition of the points they touched, and those points had reference to the great doctrines of the Church which were to be found enunciated in the Prayer Book. And this was an illustration of the difficulty in which the Church was placed. So lax were her ecclesiastical tribunals that they seemed to be becoming deficient in that theological learning, and in those theological references which were necessary to insure a due judgment in cases in which a departure from the faithful teachings of the Church had to be tried. He would urge the House, if they contemplated any change in the proposed direction, not to enter rashly upon the matter, but in full view of the difficulties and dangers to which the Church of England was exposed, those difficulties being, on the one hand, an undue latitude which verged towards infidelity; and, on the other hand, an undue stringency of teaching that must render the ministrations of the Church liable to the imputation of bigotry He would again humbly represent to the House that the law as it stood secured to the clergy a freedom of opinion and a latitude of action in their incumbencies which were incident only to an established Church; and whilst he would preserve these to them carefully, he felt it was essential to the safety of the laity and of the congregations that they should not any further relax the security that the incumbents should preach the doctrines of the Church of which they were the appointed ministers. Nothing had been more painful to him, holding the opinions which he did, than the letter addressed by Dr. Stanley to the Bishop of London. It suggested nothing but difficulties, and it proposed no adequate remedy; and it was liable to th observation so justly made by the Hom Secretary upon the Motion before thc House, that it was disturbance coming from a quarter where they ought to hope for peace and the elements of stability. Dr. Stanley pointed out the difference of the position of the Church of England as an establishment as contrasted with that of Protestant communities abroad, in some few of which no binding declaration of faith was required, but these few were exceptions. Well, what was the position of the Protestants of France? Such was the diversity of opinion, such was the uncertainty of doctrine in the Protestant Church of France, that M. Guizot, one of its most distinguished members, wrote in his work on the Christian Church, only two years since—

> "The Protestant Church of France is too incompletely organized and too imperfectly free for authority to exercise itself in its interior government with an indisputable character and without fear of compromising liberty."

There was the point which he wished to mark — if they removed the definitions which restrained the clergy, they increased the absolute power of each clergyman to teach what he pleased, and in granting that discretion the House would trench upon the freedom of the laity. That was the point he wished to press emphatically upon the House. But let him give another illustration of the danger which would be consequent upon the adoption of the Resolution. They had had the position of religion in the United States pointed out to them in former debates as that which was worthy of imitation. They were told that there was complete religious liberty in the United States, and they had been told that the people possessed complete religious liberty without the drawbacks which were attributed to the Church of England. He would quote a Roman Catholic authority on the state of religion which had grown up under the lax system of the United States. The quotation was from the *Cosmopolitan Almanack*, published at Baltimore in 1860, and re-published in the *Tablet*, of January 21, 1860. The writer concluded by describing the progress of the Roman Catholic Church in these words—

> "There is nothing in the history of the world like the progress of the United States, and there is nothing in the progress of the United States like the progress of the Roman Catholic Church. Built on a profoundly Protestant basis, our foundation stones were not laid without difficulty in the polity of the Pilgrim Fathers."

This was the conclusion of the writer's observations, and he was speaking of the Roman Catholic Church—

> "The Church which has such a laity—and its bishops and priests are worthy to lead such a party—need not fear for the future, though the soundings are strange and the landmarks dim in that tumultous tide of fierce democracy. It stands erect amidst the *debris* of the Protestant heresy, which, loosed from the prop of European State establishments, crash against each other like the pack-ice in a Polar sea. The native American mind goes beyond Protestantism. There is Mormonism at the Great Salt Lake, or the Free Iron Church in the city for the Pagan of the sty. The more philosophic and spiritual Pagan summons the Devil to turn tables and carry messages to the dead. Protestantism proper seems to be constantly galvanized into a sort of unnatural life by the art of hysterical revival. Heresy does not decay there as in the Old World. It is in a state of wholesale disintegration, leading towards a Chaos, of which it will be the Church's work in the course of the next century to make a Cosmos."

Those who would change the position of the Established Church in this country, and who would enter rashly upon any experiment that would destroy her stability, should weigh that testimony as to the condition to which religion had come in the United States, where there was no Established Church. In the present state of the diversity of opinions on subjects connected with religion it was not for the interest either of true religion or of toleration that the established order of the Church of England should be shaken, because uncertainty and vague opinions led to violence, ended in bigotry, and destroyed toleration; and it was his firm conviction that the reason why the Church of England had been able to be as tolerant as she was, was that she was established upon a foundation which left in the minds of her members no doubt as to the great truths of Christianity, and the adherence of the Church to those truths. It was advanced against all Protestant establishments, because they almost all had declarations of faith and discipline, that they were propped by law. What was the fact? These legal definitions were essential to freedom in religion, because there must be either definition by law, which they could have only in an Established Church, or a discretionary and therefore arbitrary power must be vested somewhere. Any one who could trace the decay of the Church of Rome, commencing with the Council of Trent, would find that as gradually as her established organizations had been broken up, arbitrary power issuing from a centre had been substituted for legal protection, and that thus the members of the Church had been virtually placed at the discretion of an absolutism which claimed perpetual adherence to a certain course, a course which had been marked by more inconsistency than could be attributed to Protestantism. He had reason to feel the cogency of what he said when he prayed the House, that for the sake of the congregations of the Established Church, and for the sake of the laity of England, they would not remove the protection afforded by the requirement that the clergy, before entering on their office, should avow their intention to teach truly the doctrines which were submitted to their charge.

MR. WALPOLE: The House is placed in some embarrassment by the declaration which has been made by the right hon. Gentleman the Secretary of State, on the part of the Government, though not by the course he proposed to take. The Motion of the hon. Member for Maidstone is to do away with the subscriptions now required from the clergy to the Liturgy and the Articles of our creed. My right hon. Friend the Secretary of State put in a very few words such a substantial objection to that Motion, that I, for one, should have preferred to have had it negatived. The Secretary of State pointed out to the House one of two alternatives consequent on the Motion of the hon. Member for Maidstone. When the subscription is done away with, either the law must remain the same as at present, or it is to be construed somewhat differently. If the law is to remain unaltered, what is the advantage of doing away with the subscription? If, on the other hand, the law is to be changed, it is the duty of the mover of this Motion, it is the duty of the Government, before they acquiesce in that Motion, to point out clearly to the House the mode in which they think that law should be amended. This is a most important question, and my hon. Friend who spoke last forcibly put it to the House that it is one not affecting the clergy so much as the laity. The subscription, both of the Liturgy and the Articles, was designed as a protection to the laity, who are thus assured that in every parish church throughout the kingdom no doctrine is taught or preached other than that which the Church recognises and allows. If the hon. Member for Maidstone does not intend to alter the law as established for the benefit of the laity, there is no good in his Motion at all. But if my hon. Friend intends to alter the law, or if the Government propose to direct an inquiry so as to point out in what mode the law is to be altered, I entreat the House to consider the very precarious position in which the country is placed by the controversies which are taking place on this very subject.

Three classes of persons have advocated an alteration in the law with regard to subscription, and three works, published within the last few years, will indicate to the House the objects of these three classes. A most able book, in the Nonconformist view, published by Dr. Parker, clearly points to a wish to do away with all subscriptions in order that he may do away with all Establishments, and to make the endowments of the Church of England, as it were, common property, if he would allow any property at all. That is a proposition which I do not think the House, or the country, will ever listen to.

Another book, of which we have all heard something, and to which my hon. Friend adverted, is the *Essays and Reviews.* What are the alterations advocated by the writers of that book—alterations, too, more or less adopted by some able divines in our own Church? The essayists say, that all tests are obsolete and should be repealed, that Scripture should be the sole basis of the National Church, that all intellectual barriers should be thrown down; and when Scripture has been made the sole basis of the National Church, they maintain "this will unite all—if you adopt the ideal method of interpretation." These are propositions recommended by divines in our own Church, or divines who still claim to be members of our own Church. But propositions like these are propositions which can never be countenanced for a single moment if the laity, that is to say the people of this country, are to have any guarantees, first that no doctrines shall be preached but the doctrines of the Church to which they belong; secondly, that there shall be some security for ecclesiastical order and discipline; and thirdly, that the officiating clergy shall preserve the doctrines of the Church in all their purity and freedom from corruption, and shall deliver them down to others as pure and free as they themselves received them.

The third book to which I referred is a remarkable one, published by Mr. Heaton. It goes into the whole question, much in the same sense as my hon. Friend the Member for Maidstone, and advocates the doing away with all subscriptions either to the Liturgy or the Articles; yet proposes that the Liturgy and these Articles shall remain the same. If so, what are our clergy to be bound by? Do you do away with the subscriptions for the purpose of saying that the clergy shall hold inwardly one set of opinions, and be declared outwardly to preach another? Do you mean, that while they hold these opinions, they are to be drawing the emoluments of your Church, and yet not to be advocating those opinions in all their integrity? You can have no guarantee for your clergy preaching the doctrines the Church requires them to preach, except the fact of their having subscribed their adherence to those doctrines. With that declaration, and with the Articles and the Liturgy clear, you then have a guarantee, but otherwise you have none, that those doctrines will be preached, and those prayers used which the Members of the Church of England are attached to and do not desire to see altered. My hon. Friend took exception to this subscription, and it was almost the only passage in his speech which was not as moderate and temperate as the rest—because he said it would exclude all the men of piety, and all the men, I think he added, of pure intelligence, implying that it would admit other persons not possessing those qualifications. [Mr. BUXTON said, he had not referred so much to their ability as to their honour.] I am glad to hear my hon. Friend's correction, because his words were so large as to imply that people not of honest purpose had been admitted into the Church of England, instead of men, as I believe, of great sincerity, earnest zeal, and the utmost desire to preach the truth they believe. The truth is, that when you come to look into this question, you find that it is not subscription that keeps away intelligent or thoughtful men. What has diminished the number of candidates for orders is that there is such a race of competition for the things of life, for the professions of the world, that men will go into them at an earlier period, and that they choose those professions in which they are likely to receive a more remunerative reward than in adopting what is called the profession of the Church. The hon. Member for Pontefract has adverted to this, and has said with great truth, "You have altered your law, and done away with the great rewards of the Church, and therefore the inducements to enter the Church are *pro tanto* diminished." It is not that young men are unwilling to enter the Church on account of the subscriptions, but that young men, who are as Christian in heart and conduct as any clergymen, can discharge their duties as Christians in those professions as much as in the Church, and get a better remuneration in other professions for their ability and virtues than in the Church.

The hon. Member who seconded the Motion said, that the hon. Member for Maidstone was simply doing that which had been attempted by the Comprehension Bill in the reign of William III. How people can go on talking in this manner about the Comprehension Bill is remarkable. It never substituted a Declaration of Conformity to the Church for subscription. It went much further. The great authors of that Bill knew perfectly well that the mere substitution of a Declaration of Conformity for a subscription to Articles could never answer the purpose without altering these Articles and the Liturgy. If you look to the Bill itself, you will see that material alterations were proposed both in one and the other, and that a Commission was issued to inquire into the subject, and to see how these alterations could be made. What was the result of that Commission? Let my right hon. Friend the Secretary of State be very careful if he is going to direct inquiry into this subject. There were some of the best and ablest men of the day on that Commission. They wished to make the boundaries of the Church conterminous with truth and charity. But what was the result? You may read it in the works of the great historian now unhappily no more. He tells us that Burnet and Tillotson congratulated themselves on the escape they had had when they saw the separation to which it would lead by the alienation of as many members of the Church as would have been included if they had introduced certain members of the Dissenting bodies. There is a most remarkable chapter by Lord Macaulay on the subject, in which he comments most strongly on that Bill, and the conclusion he draws is, that the non-passing of the Comprehension Bill secured the civil and religious liberty of the people of England.

Well, but hon. Gentlemen opposite found fault with the subscriptions that are required, and with the Act of Parliament which enforces those subscriptions, on the ground that they are oppressive. Now, before you alter these laws, I think it will be better to consider carefully for what reason they were passed, and under what circumstances they were introduced. There were three periods to which the hon. Gentleman adverted—the reign of Elizabeth, of James I., and the reign of Charles II. And what were the circumstances under which the first subscription was required? The undercurrent of the Reformation had been running hard and strong from the time of Wickliffe until it broke out in the reign of the Tudors. Then you had such a convulsion and variety of religions, from the reign of Henry VIII. to that of Edward VI., and from the reign of Mary to that of Elizabeth, that no one knew or well understood what were the doctrines of the Church of England, or what was the worship in which they were called upon to join. It was under those circumstances that the first subscription was imposed, and it was a subscription that secured for the first time after the Reformation to the people of England a certainty and guarantee that they should have one set of doctrines in which they believed and no other, and one worship established in which they could join, and not an uncertain worship in which they did not know whether they could join or not. Let hon. Gentlemen now turn to the second case, that of James I., when the Articles were framed, as adverted to by the Secretary of State. If you will look at the proclamation made by the King at the time, you will find the strange and discordant state into which religion was running, owing to the various sectaries which claimed to have their religion preached in this or that church. But if you will look to a most remarkable passage in a most remarkable historian, not adverting to this particular subject, but told incidentally—I mean Sir Walter Raleigh—you will find that the various forms of the Church, said to be introduced in various parts of the country, were so numerous that he said that truth itself, which is always one, began to be considered as variable in the minds of the people of this country. Take the other case of the Act of Uniformity of the time of Charles II. It is not true that the Act of Uniformity was passed to exclude any honest Nonconformist from joining the Church. The truth was, that every effort was made to induce them to join it. But if you look at the time before the Act was passed, you will never forget the utter confusion into which this country was thrown in matters of religion by not having an Established Church. You had nominally an Episcopalian Church, but you also had a Presbyterian Church by Parliamentary ordinance, and a body of Independents, supported by Cromwell, establishing here and there a minister who they thought would serve their political rather than their religious purpose. At the same time you had the ministers of the Church of England thrown out of their parishes, ejected one after the other, and even the beautiful prayers of the Liturgy not allowed to be used. Things were in that state that even the Presbyterians of that day, according to Edwards's work, introduced blasphemy and all kinds of inconsistencies and incongruities into religion; and he said, that if these were the results of toleration, it would put an end to all learning and religion. That also was the opinion of Hume in commenting on the state of this country at the time of the Commonwealth. That, too, was the opinion of Lord Macaulay. And it was under these circumstances, when religion itself seemed likely to be driven out of doors, and when no one knew how they were to worship and what they had to depend upon, that the Act of Uniformity was passed for the good of the people. I am not going to defend all that took place in that day. I do not defend the acts of the King, which were contrary to his own declaration. I do not defend the penalties enforced upon Nonconformists or clergymen by subsequent laws, or the religious controversies which took place, and which often led to a persecuting spirit. But what I do defend is this—I defend the establishment of a religion which protected the people from all the errors into which they would otherwise have been thrown. I do defend the law which, however it may be found fault with after it has existed for two hundred years, gave to the people of this country a religion as pure, as tolerant, and as comprehensive as the eternal truth itself.

I now come to the question, how ought we to deal with this subject? If the Government had plainly and clearly told us what they intended to do, then I think they would have taken a better course, and one more worthy of a Government. I believe the course we are asked to take by the Government is right, for it is, as I understand it, simply this: We decline to enter into the question raised by my hon. Friend the Member for Maidstone until we are more fully informed upon the authority of the Government first whether any alteration shall be made in those laws; and secondly, if there shall, then we are to have pointed out, upon the authority of Government, what these alterations will be. If that be the understanding, I think we shall do well to support the Government in moving the Previous Question. But, if this course is to have any other meaning, if there be an intention of altering without telling us how you are to alter either your Liturgy or your Articles, if the change is to go to the extent of shaking the Established Church in the minds of the people, and leaving them ignorant of what teachings they are to accept, then I think we ought to resist the Motion to the best of our power. Believing, however, that such is not the intention of the Government, but that their intention simply is to negative, in one sense, the Motion of my hon. Friend the Member for Maidstone, while it keeps open the question which so many good men have recently raised, and amongst them some even of our own Prelates, I think we shall do well to leave the Government opportunity and time to consider at leisure whether they are prepared to make any proposition on thesubject; and if they are, to state in the face of the House what that proposition is. To nothing else will I consent. I believe, if you do that, you will find that the utmost alteration you will have to make will be to satisfy the scruples of certain persons who think that the words which they use have a fuller meaning than I believe has ever been considered to be attached to them. Believing that, and willing to consider, as the Government also seem to be, whether any relief can be given to such persons, I have no objection to give them my support. But again I say, that if in any substantial particulars you are going to alter your Articles of Religion, which are the code of faith, or your book of Common Prayer, which is the most beautiful embodiment of primitive truth ever composed, I, for one, never will or can consent. I have no fears for the Church of England. My hon. Friend the Member for Maidstone at one time seemed to have fears for it, but I observe that towards the end of his speech he made use of a quotation which appeared to contradict its beginning, and he referred to the Church in these words—

> "Higher yet her star ascends,
> Peace and truth her course portends."

Sir, if truth and peace are in the Church of England, do not imperil the one, and do not disturb the other. That Church, I am confident, say what you please, is strong in the affections of her people, strong in the soundness of her doctrines, strong in the purity and simplicity of her worship. Nay more, she is of all Churches that ever were established the most tolerant in her principles, the most charitable in her instructions, the most comprehensive in her love. On such a Church as that I would not for a moment lay an unhallowed hand. For such a Church as that I think it would be a matter of the utmost regret if you venture to propose anything vague and indefinite which may lead to consequences which you yourselves will shrink from when those consequences are forced upon you. Therefore, for the sake of preserving that Church in all its integrity, but with a willingness to relieve any weak consciences which may object to subscription, if such there be, I say, do not assent to the Motion of my hon. Friend the Member for Maidstone; stand by your Articles, stand by your Liturgy, and only amend them when proved defects may be found to exist.

MR. MORRISON said, as there was but one narrow gate of subscription by which persons could enter the Church, it was impossible to resist the conviction that there must be more or less of mental reservation on the part of many. There was often a very great conflict of opinion and great scruples of conscience before young men could make up their minds to subscribe. Parliament was now in much the same position as when jurymen refused to carry out the law in cases of forgery, robbery, and other such crimes to which the penalty of death was attached. Public opinion was far in advance of legislation, and it was not until it was found that the interests of justice were most seriously compromised that the law was altered. He could not but think that the common sense of those who subscribed admitted a considerable latitude as to the meaning of what they were required to subscribe to; and therefore he assented to the Motion for making that the law of the land which the clergyman made law for himself. He wished to call the attention of the hon. Member for North Warwickshire (Mr. Newdegate) to this fact, that the tests for ordination in the Church of England were of greater stringency than the Church of Rome itself required, and all that had been said of the remarkable increase of the Church of Rome in the United States and elsewhere was only an argument to prove how a church could spread in the absence of subscription. The absence of subscription tended to increase rather than diminish the inherent strength of a church, and therefore he contended there was no danger to the Church of England from relaxing the severity of her tests. But even if there were, was there no danger on the other side? He thought there was. They had heard a warning voice raised by the dignitaries of the Church, and echoed by the press, and it agreed with the experience of Oxford and Cambridge men, that the candidates who offered themselves for ordination were not the same as they used to be twenty or thirty years ago. Attempts had been made to explain that, on the ground that young men now sought for openings in commercial life, for a career in India, or elsewhere; but he could not but think that that was not sufficient to account for the falling-off. There was a marked increase of earnestness and self-devotion in all classes, and more especially in that class from which young clergymen were taken. The unfortunate dissensions in the Church of England had turned all men's minds, and among them those of the ministers of the Church, to a consideration of those difficult points which had been referred to in the course of the discussion. He could remember that in his own time the manner in which subscription was enforced at Oxford against one who was second to none in character or ability, excited a perfect storm of indignation amongst the younger men of the University, including not only undergraduates but masters of arts, and that feeling had been growing ever since; for it should be remembered, that when a clergyman signed the Articles and Liturgy, the act bound him for life. An attempt had been made to alter that state of things, but last year the House threw out the Clergy, Relief Bill. It was not to be wondered at, therefore, that young men, at an age when their opinions were not so fixed that they were not likely to undergo a change at any future time, should hesitate to take upon themselves a burden which, no matter what the change in their opinions, they could never throw off. It was true that there was a difficulty in bringing home a charge of bad faith, in respect to the Articles and Liturgy, against any individual without the person making the charge exposing himself to a counter-charge of bad faith on account of some opinion which he might have expressed at some other time. This security for liberty of opinion would be lost if one of the propositions which had been submitted to the House were adopted. A protest ought to be made against anything which would tend to favour one party in the Church as against another. One change in that direction might lead to another, and subsequent changes might be attended with very serious results. There were two opposite extremes against which they had to guard in any legislation on the subject; they must not do anything which would exclude from the ministry of the Church men who laboured among the poor. If they did so, the Church might assume that position towards which the Episcopal Church of America seemed to tend—namely, that of a church for the fashionable classes. The other extreme they had to guard against was that of putting the Church of England in antagonism to the educated clergy, so as to make it, like the Church of France, become the Church of the poor rather than of the more educated classes of the community. The object they ought to have in view was to make the Church of England become more and more the representative of the whole community, and not of any section. No danger could arise from such a proposition as that of the hon. Member for Maidstone, and as a step in the right direction it was deserving of the support of the House.

SIR STAFFORD NORTHCOTE said, he could not help thinking the House was discussing a very important question under great disadvantages. A most unfortunate amount of haze had been thrown on a subject, in discussing which it was most essential that hon. Members should have their minds clear. There were several reasons why they should endeavour to divest the question of all obscurity. In the first place, the Motion of the hon. Member for Maidstone was not a satisfactory one. He had not had the advantage of hearing the speech of the hon. Member; but considering the immense importance of the subject, anything more unfortunately loose in its terms than the proposition which that hon. Member had placed on the paper could hardly have been devised. Then the Amendment of the hon. Member for Pontefract, which would have changed the character of the Motion, had been withdrawn as soon as made; and they were then discussing whether the Motion of his hon. Friend should be put at all or not. They were discussing that question upon grounds which had been laid down by the right hon. Gentleman the Secretary of State, and which had been so laid down that it was difficult to know what were the views and the policy which the Government supported. It was most unsatisfactory that they should be talking round the subject without knowing the points at issue—without knowing whether they were dealing with a question of great importance or one of slight importance. The hon. Member for Plymouth had said there was no danger in the small modification proposed, but no modification was proposed. The House was only asked to pledge itself to some Resolution which might be brought up at a future time; but in doing so it might be pledging itself to a policy of which they were unable to measure the significance or importance. Before they came to a conclusion on the subject, he thought it but reasonable that those who felt strongly on the question should endeavour to point out what were the dangers which might possibly arise from a course such as the Motion of his hon. Friend might lead to. They must not conceal from themselves that, however temperate the language of his hon. Friend and of other hon. Members might be, this Resolution would give effect to claims made by persons outside that House which appeared to him to be of a most audacious character. Those persons did not claim that Parliament should allow individuals to exercise the form of religion which in their consciences they approved without prosecuting them or depriving them of their civil privileges; but they claimed that they should clothe them with the authority of the Church, and send them out to teach, in the name of the Church, the Church's doctrines, without requiring that they should assent to the doctrines which they were to teach. That being the case, the House must consider what the Motion might come to—namely, that the tests imposed on the clergy should be done away with altogether. It was very well to say that there were persons who might differ from them in small and minute particulars, and that it would be hard to deprive congregations of men whose ministry would be most profitable; but if the House did away with tests, they had no security that clergymen held any particular doctrine, and the absence of such security would be calculated to shake the confidence of the people among whom they exercised their ministry. In his opinion, nothing could be more injurious to the cause of religion in this country than that they should allow the people, who have ministers set over them, to believe that the clergymen who used the prayers in the Liturgy, and who were teaching the word of God in accordance with the Articles of the Church of England, did not concur in the former nor believe in the latter. And if they took off those tests at a moment when persons who were subject to those declarations were claiming to be set free in order that they might have greater latitude in the interpretation of the Scriptures and in the interpretation of some of the most fundamental doctrines of the Church, what must be the inference of the people? Why, that the Church was indifferent to her own Liturgy and Articles, and that those ministers were sent out as advocates of a certain cause, with a brief in their hands which they might or might not believe, just as they thought fit. Anything more calculated to destroy true religion in this country could not possibly be found. He quite believed that persons of really tender consciences were kept out of the ministry of the Church by the tests that were imposed. The loss of the services of such men was to be lamented, but that was a misfortune for which it would be very difficult to find a remedy. Into the particular grievances which these persons might have he was not indisposed to look; and if they were of a small and minute character, and a redress could be found for them which would not shake the fundamental principles of the Church, and would not detract from the sanctity of the tests applied to uphold the Liturgy and Articles, he should be glad to relieve these persons from their difficulties. But he was not prepared, even for the sake of gaining the assistance of men whose character and abilities would, he admitted, be of the greatest value to the Church, to break down that which in his opinion was of the greatest importance—the confidence of the people in the sincerity of their ministers, and the belief of those ministers in the doctrines which they professed to teach.

Further, if the step which they were invited to take were taken, and if tests were dispensed with, he believed it would be utterly impossible to stop there. No relief would be given at all if they merely said, "We do not exact from candidates for holy orders their assent and consent to the Book of Common Prayer, and yet we require them strictly to conform to it." Take any of the causes which now, it was alleged, prevented persons from entering the ministry—the existence of certain clauses in the Athanasian Creed, or the Absolution and Burial Services. If conformity with these parts of the Prayer Book were dispensed with, how could they be used by persons who objected to them, unless with a strain upon conscience far greater than was applied by the use of the present test? At present the position of the Church was perfectly logical and tenable. She said to candidates for her ministry. "You will be obliged to teach certain doctrines and to use certain services. Do not take this office upon yourselves unless you feel that you can conscientiously and heartily agree with these doctrines and use these services. If you say you cannot do so, we are sorry; but you cannot become ministers of the Church." On the other hand, if persons were allowed to come into the Church without conforming to these doctrines, people would think it tyranny if they were compelled to adhere to them, and a constant pressure would be put upon Parliament to relieve such persons. One man would drop one thing and another would drop another; and at last it would be necessary, in order to settle the minds of congregations, to define what tenets were really held essential by the Church, so that congregations might not suppose that men were admitted to the ministry who held as open questions doctrines which were at the foundation of the whole Church system. They would then come to a picking and choosing among the Articles and formularies of the Church, of those which were important, and those which were comparatively unimportant. And how could the Church go on if the House of Commons—a body not co-extensive with the Church, but representing and comprising large numbers of persons who were in no sense members of the Church of England—took upon itself to decide which of her doctrines were important and must be insisted on, and which were unimportant and might be dispensed with? He could not conceive how such a state of things was possible without striking at the connection between Church and State. He did not mean to assert that the House of Commons, as the representatives of the people, should not have a fair voice in the discussion of Church questions; but if every Member of the House of Commons—Dissenter or Roman Catholic—were allowed to get up and say, "I think ministers ought to be ordained if they agree with these, and though they do not agree with those Articles or portions of the Prayer Book," the relations between Church and State would be put upon a new footing, and the existing relations between them utterly destroyed. It might be said that such a step was within the competence of the State; but if that were the proposition, let it be fairly and broadly raised, instead of being merely pointed at in a loose Motion, which the Secretary of State had met with the Previous Question, because he said the subject was one upon which the Government were not yet prepared to express an opinion, and had not yet made up their minds as to the course they would pursue. It was most unfortunate that the matter should be left in that position, and he should have preferred to meet the Motion by a direct negative, to the effect that no case had been made out for the adoption of a Resolution which was indefinite and might do mischief. The rejection of the Resolution would not pledge the House never to do anything hereafter. But they should consider to what a state of things they might come if they did not take care what they were doing. If they dispensed with all tests, and lost sight of the standard which had hitherto been upheld, the Church might gradually slide away from her present position, until at last she came to occupy one wholly different. Nineteen or twenty years ago great discussions took place upon the Dissenters' Chapels Bill. It was found that the tenets of one community of Dissenters, the English Presbyterians, had in the course of two centuries altogether changed for want of definite standards and subscriptions, and it actually became necessary to bring forward a measure in order to ascertain who were entitled by law to the property which had been left to the body two centuries before. Such an example might be cited with advantage; and, applying it to the Church of England, it showed into what a melancholy position she might come. By an Established Church was meant a Church secured in the enjoyment of certain property and of certain rights; and, at the same time, the law defined what that Church should be. But where would the Church be in process of time, if she were allowed to slide away from that definition? Might she not come to be in the same position with the English Presbyterians, so that it would be difficult to say who really constituted the Church of England? As a constitutional question it was most important to consider well, if tests were taken away, what would be the signs of continued union, and how the Church was to be distinguished hereafter. It was, he repeated, a great constitutional question; but in another point of view it was far more important, because he did think that such a measure as this, which was intended to give relief to consciences, and to prevent the straining of consciences or unconscious dishonesty, was just the sort of measure which, if carelessly passed, might tend to shake the faith of numberless congregations in their ministers and unsettle the whole basis upon which the Church of England rested.

THE CHANCELLOR OF THE EXCHEQUER: Notwithstanding some words which have fallen from my right hon. Friend who has just sat down, in his able speech, I think the course taken by the Government has met with general acquiescence and with general approval. The complaint which he made, indeed, is rather against certain expressions used by my right hon. Friend the Secretary of State than against the plan of the Government. I cannot help joining with others who have spoken in addressing a sincere compliment to the hon. Member (Mr. Buxton) for the moderation as well as the ability which he has displayed in bringing forward this Motion. And this is a matter of no small importance, because we know, that when once the waters of bitterness and the poison which they carry are infused into matters of religion, it becomes difficult to expel them; and along with moderation and charity disappears all chance of a mutual understanding. I could not help being pleased at perceiving that my hon. Friend the Member for Maidstone had substituted the comparatively mild proposal of a relaxation of the subscription for that other much bolder and more audacious resolution—the revision of the Liturgy. With respect to a proposal of this kind, I am very far from presuming to say that the Common Prayer-Book, or the Articles of the Church, are perfect; but I must say, that after observing the course of opinions, the state of society, and the capacity and temper with which men of this age address themselves to matters of religious controversy, I am not one of those who believe that the task of the revision of the Liturgy is likely to be undertaken with the smallest hope of advantage or success. Though considering it very natural that the minds of men, under the circumstances of uneasiness which have lately prevailed, should be addressed to the examination of that subject, yet I cannot help feeling pleased that my hon. Friend has declined to enter into that perhaps seductive, but very painful matter, and has directed himself, on the contrary, to the proposal advanced by writers and divines of the more sober class, such as Dr. Vaughan and my excellent friend Professor Stanley. I was glad, I repeat, that my hon. Friend put aside the revision of the Liturgy, and I was also glad to see, for all our sakes, that my hon. Friend did not join himself to those persons who venture to claim, as I think most unreasonably, what they term liberty of thought, without any restraint or control for the clergy. The liberty of the clergy, in that sense, is the slavery of the laymen. The idea of clergymen, authorized and paid by the State, being allowed to pass through the country, or to settle themselves individually in respective districts, and there to teach to the laity whatever happens to approve itself to the mind of each individual clergyman—such a course of proceeding would be not only a breach of all the laws of the Church, but a violation of all the traditions, a desecration of all the feelings, and a contempt of all the rights of the people. If there is one right accruing to the people more distinctly than another in connection with the existence of a national Church, it is the right that within those fair limits of free opinion which have always been recognised and allowed, they should know what is the teaching addressed to them. I must say, that widely apart as are my opinions from those of the hon. Member for Sheffield (Mr. Hadfield), if it should come to this—which God forbid!—that the question is to be discussed whether the mind of every individual clergyman is to be set free from all legal restraints, and he is to be the sole arbiter of what he shall teach from his pulpit to those whom he calls his people—I say it would be far better, before entertaining that question, that we should break up the venerable fabric of the Church altogether; for the evils attending that course would be less than the moral, social, and religious evils which a licence such as I have just alluded to would not fail to entail.

I think that my hon. Friend must feel that there is great force in the objections taken by the Secretary of State for the Home Department, and by some hon. Gentlemen on the other side of the House as to the indeterminate form in which he has submitted his Motion to the House. It certainly does not appear right that the House should commit itself to an abstract declaration in favour of a change in the system of subscription. That system has been of an historic growth; it has grown up with the real *bonâ fide* necessities of the Church from the Reformation onwards; it grew up by degrees, and arrived at a certain maturity, since which it has lasted for two hundred years. I mention this circumstance as a proof of the extreme gravity of the question; and if we deal with it, we should do so upon definite principles, and in a manner and way which everybody can understand. I think that was the doctrine inculcated by the Secretary of State in his speech.

I must confess that I regarded the Amendment proposed by the hon. Member for Pontefract (Mr. Monckton Milnes), although he supported it by a speech of great ability, as certainly not an improvement on the Motion. If there was anything more characteristic of the course pursued by the hon. Member for Maidstone than its moderation and ability, it was its perfect impartiality. I am far from saying that the hon. Member for Pontefract is capable of evincing any other spirit, but the fact is that his Motion would have the effect of drawing an invidious distinction between subscription to the Prayer Book and subscription to the Articles of the Church of England, which I believe is unknown to our history and alien to the feelings of the great bulk of the members of the Church. What are the arguments by which this Motion is supported? We are told that subscription should be done away with because it has failed to attain its end — unity of opinion. In some sense every human law fails to attain its ends. Laws against crime are supposed to have failed in attaining their end because crime is not abolished and extinguished, and laws for the promotion of unity of sentiment within the limits of the Church are, in the very nature of the case, laws in respect to which you must not expect one perfect and absolute result. The question is not whether some variations of opinion prevail in the Church—it is not even whether some variations of opinion prevail which it is desirable to repress; but whether, on the whole, the system of subscription works well for its purpose, in giving to the Church that degree of unity and vigour in action which enables her to perform her appointed work. I confess, judging by such a test as that, I am not at all prepared to say that there is any reason why we should declare that this is a sore place in the history of the Church. The Church, like other institutions, has merits and faults. It is not necessary to affect to consider that there exist none of the defects of human workmanship so far as regards the vessel in which the Divine treasure is contained. At the same time, the system of subscription is a definite historical system, appoved and loved by the country, through two hundred years of great vicissitudes, and in the midst of changes which have severely tried and strained the efficacy of all laws. That is no reason why the system should not be amended, if possible; but it is a reason why we should be slow to assent to its absolute condemnation on the ground that it has failed to attain its end.

I think that the proposition on which my hon. Friend seemed to lay considerable stress was the proposition that the penal system would better secure unity for the Church than an anticipatory contract or engagement, in the form of a subscription, on entering the ministry. To that proposition I altogether demur. It has been adopted by Professor Stanley, to whose authority I am always inclined to attach much weight; but he has not added much weight to his own authority by adducing in his pamphlet the authority of Burnet. The reason why I make light of Bishop Burnet's authority is because there has been an immense change in circumstances since the time at which he wrote, as regards the practicability of working the law of the Church by means of a penal system, and also because I must frankly own that that eminent and excellent man allowed himself to be governed by passions and animosities in the treatment of historical questions; so that until you know what his prejudices or biases were, you are not in a position to estimate fairly any judgment he passes. But, however that may be, if you are to attempt in good faith to maintain in any adequate manner and degree that unity of belief in the Church of England which, within limits however liberal, is needful, you cannot trust for its maintenance to the judicial system and courts of law. To attempt to do so would in the first place be entirely novel. It might be said that there was a period in the history of the Church when we got on without subscription. I am aware that Queen Mary, who is seldom mentioned without having a vituperative epithet tacked on to her name, never assented to the use of subscription. But when we avail ourselves of that negative precedent, we must take into our view what instruments were used by her, and I doubt whether even a modified return to those instruments would be desirable. But to come later than the time of Queen Mary, let us come to the times of Queen Elizabeth, and even to the times of James and Charles I.; because it must be admitted that the system of subscription, although existing in principle at an early date in the reign of Elizabeth, did never become an effective working principle and security for the doctrines of the Church of England until the Act of Uniformity. My hon. Friend quotes the periods of those Sovereigns as examples to show how easily we might get on by means of judicial system, and dispense with subscription. If that be so, then we must look at the instruments in use at those periods. Even the warm applications that were in fashion in the time of Queen Mary were not entirely disused in the times of three other Sovereigns, although certainly they were not applied to those persons whose differences of opinion related simply to the differences between the English and the Roman Churches. But one part of the judicial system that was maintained is famous, or infamous, in our history as Courts of High Commission. If the faggot was not in fashion, yet certain sharp instruments applicable to various portions of the body were in fashion; and we cannot quote the authority of those periods to prove that unity of doctrine was maintained by courts of justice without subscription, unless we are prepared to face the question how far we mean to assimilate to the practice of the courts then in use. You must not, therefore, rest upon the authority of that period.

It has been well stated, and by none better stated than by my hon. Friend, that nothing could tend more to narrow the Church of England than the frequent provoking of courts of justice to lay down authoritative interpretations of her laws. It is a much better and a far freer system that we enjoy when we stand upon the footing of old traditional historic documents which have root in the minds and feelings of men—the sense of which has been fixed by the opinion and sentiment of the nation through a long series of years—than we should enjoy if we were dependent upon the opinions of this or that Judge sitting in a court of justice, who cannot possibly have all the qualifications that are requisite for the decision of questions like these, and who may, like other men, be influenced by the breath of popular opinion. I quite concur with the hon. Member for Pontefract in that portion of his speech in which he dwelt upon the freedom and the protection of the freedom of individual minds which is inherent in those ancient documents, as compared with the haphazard declarations which to-day or to-morrow you may succeed in obtaining under particular circumstances from any particular single Judge. My belief is, that any attempt to work the Church of England—to maintain unity of doctrine, or even uniformity of procedure among its members, by the substitution of a system of judicial correction and repression for a system of subscription, would be entirely visionary. Such a policy would be so odious to the feelings of mankind, so irritating to all those who came under its operations; there would be such appeals to popular sympathy, such natural compassion would be excited—and sometimes justly excited—on behalf of those whom it was sought to attack, that all attempts, if even made *bonâ fide*, would soon be abandoned, and we should enter upon the slippery path which has been so ably described by my hon. Friend who spoke last.

It is often said, as a reason for abolishing subscription, that the Prayer Book and the different documents of the Church are not in unison together; and a very great man of the last century, Lord Chatham, very injudiciously, as I think, committed himself to the statement that the Church of England is distinguished by having Calvinistic Articles, a Popish Liturgy, and an Armenian clergy. I believe the saying was founded upon a very shallow sense of what is really contained in the documents of the Church of England. If we are told that there is an apparent tendency to opposition between the Prayer Book and the Articles, we must remember that such apparent opposition is to be found even in the Holy Scriptures. There is no opposition between the Prayer Book and the Articles—no apparent opposition which is nearly as sharp as the apparent opposition between certain declarations of St. Paul and St. James. But does that apparent opposition prevent Christians from recognizing that there is a true, perfect, fundamental harmony and unity between the doctrines of the two saints? Certainly not; and just in the same way as regards the Church of England, I am certain that all her intelligent members have the thorough conviction that the Prayer Book and the Articles are to be taken together, and when taken together and fairly interpreted they form one harmonious whole.

Then comes the statement that young men of ability are not coming forward for holy orders in such numbers as formerly; and I cannot disguise from myself the very serious nature of the evil thus described. The evil is the more striking to me, because about the period when I was an undergraduate, or shortly after, a state of things prevailed of quite an opposite character. It might almost be said that at that time the flower of the youth of England were rushing forward to offer themselves for the service of the Church. It is therefore a very serious change that has taken place. I agree with those who think the change is not to be fully accounted for, or explained by, the fact of other openings having been made—that the career and race of civil life has become more energetic than it was. Then, again, there is another point which is not without its importance, but which is far from solving the whole question, and that is, the very great diminution that has taken place in the average remuneration of Church benefices. It must be recollected that one hundred or fifty years ago we had a Church with 10,000 or 11,000 benefices, a certain number of which were adequately endowed, and some even wealthy. Now, we have added some 4,000 or 5,000 cures of souls, scarcely one of which, except a few in large towns, which are dependent upon pew rents, afford to the incumbents a sufficient, or even decent, income. Still, there are other matters lying deeper, and I frankly admit we must look to moral and religious causes for the reasons. But I do not admit that the change is owing to the system of subscription. If it were so, my opinion is, that it would have been felt at other periods since the reign of Charles II., and especially at a period some twenty or thirty years ago, when there was a remarkable animation and awakening in the Church of England; and yet the difficulties of subscription were little thought of then.

It must be borne in mind that the Church of England has, during the last twenty years, passed through a time of nothing less than convulsion; of convulsion so sharp and searching that it might almost be described in the language of Scripture as dividing one from another, piercing asunder soul and spirit. In the Church of England, and especially at the University of Oxford, to which reference has chiefly been made, not only have great controversies arisen, but there has been an agony of religious controversy. The last twenty or thirty years has seen the rise and growth of eminent men—as eminent and able as ever adorned the history of the Reformed Church of England. It has seen a great body of men, after arriving at mature life, suddenly announcing to their followers that they found they had been wrong in their adherence to the Church of England, and that it was necessary for them for their salvation to make themselves members of an opposite and antagonistic Church. The consequence of that course has been the almost total destruction for a time of the confidence which young men ought to have in those whose age, abilities, learning, and piety they revere. There has been the creation of a violent reaction, and an alienation of popular feeling; and of course with causes such as these the result must be for a time great, heavy, and sore discouragement to all young and tender minds, to all those who, in the purity of their consciences and the spring-tide of their lives, would otherwise have devoted themselves to the service of God. There has happened what my hon. Friend has described. By unauthorized constructions that have been attached to the documents of the Church, subscription has of late years become more stringent than it was before, and no man has more fully recognised that fact than Professor Stanley, who, in his pamphlet, distinctly holds, that if only the liberal method of interpretation—I do not mean dishonest, but that enlightened, liberal method which was in use in the time of Archbishop Howley were still in use, the grievance of subscription would be very light indeed. Another divine, Mr. Mosely, the rector of Shoreham I believe, has published a pamphlet in the shape of a letter to Professor Stanley, showing with great ability what is meant by a liberal interpretation, and what harmony in our religious documents results from a just comparison of their contents.

The hon. Member for Maidstone trusts that the Church of England will not dissociate herself from the advancement of human minds, or dissever herself from the discoveries of human science. I agree in entertaining that hope, and I also believe that hope will be fulfilled. I believe the principle of freedom is so embodied in the character of the people of England and their institutions, in their social, political, and religious life, that if the Church were to dissociate herself from the general movement of the human mind, and to neglect the real achievements of science on behalf of mankind, any institution so acting would soon cease to be the Church of England. But it is quite another matter whether we are to assume, that subscriptions, as they are now to be dealt with, can either cause the evils that we feel, or the evils that we may apprehend. For my own part, I believe it is in the power of wise rulers of the Church, not by tampering with conscience and honesty in the matter of interpretation, but by a really comprehensive liberality of spirit, by a discouragement of all sectarian tendencies, by an honest endeavour to look at the law and spirit of the Church of England as a whole, and by giving encouragement to young men to take a manly, not a morbid, view of these questions, to mitigate, and perhaps, by the blessing of God, do away with the very serious evils to which I have referred.

I will now say one word with regard to the vote we are going to give. We are going to vote on the Previous Question; and the intention of my colleagues and myself is to vote that the Question proposed to the House by my hon. Friend the Member for Maidstone should not be put. My hon. Friend opposite (Sir Stafford Northcote) greatly regrets that we are not going to give to it a direct negative. Well, the distinction between the Previous Question and a direct negative is not always an easy one to draw, because those who vote the direct negative frequently accompany it with a qualification that they do not mean to bind themselves for ever, but only with reference to the circumstances of the present hour and the case actually before them. My hon. Friend himself (Sir Stafford Northcote) made that qualification, for he said, "As matters now stand, I say no case has been made for changing the law." It is sometimes said I am too apt to draw distinctions; but the principle on which my right hon. Friend (Sir George Grey) proceeds is this—and I must confess I concur with him—he did not venture to say that the present condition of our subscription was perfect. I wholly concur with him in that declaration. I think we are bound to take a candid, dispassionate and, if I may say so, historical view of matters of this kind. Whether my hon. Friend the Member for Maidstone went so far as the right hon. Gentleman the Member for Cambridge University supposed in alluding to the subject of the possible amendment of the Liturgy—my right hon. Friend (Sir George Grey) did say that in his opinion it is conceivable that the present system of subscriptions might be improved—and any one will see that they bear in them the marks of their irregular growth, and consequently something of their superfluity in their multiplicity and variety. It is very difficult to see why distinctions are drawn between the mode of assenting to the Articles and the Liturgy—it is very difficult to see why clauses in the Act of Uniformity should appear first to prescribe a promise to use the Liturgy and afterwards require assent and consent to everything it contains—it is very difficult to see why the forms of assent to the Articles provided by the Act of Uniformity in the 36th Canon might not be a perfectly sufficient assent in substance to the Liturgy. Therefore, I think it might be sufficient for my right hon. Friend, representing the Government, to say that the present state of the law is not incapable of improvement. But he went one step further, and said there ought to be no such improvement attempted except on the authority of somebody that should have the power to consider it, and carry with it, in the consideration of the question, the general confidence of the Church, not as against the power of the House to deal with any question of this kind, but as to the wisdom and judgment hon. Members would show if they endeavoured to take on themselves the responsibility of determining what that change should be. My right hon. Friend did not indicate that the Government thought it necessary to make any change in the law, or were prepared to take on themselves the responsibility of such a change; and I will venture to say that nothing could be more unwise in a Government than to open a question of this kind until they were prepared with a distinct and definite plan. And although I strongly agree that any measure of this kind ought not to take its origin in Parliament, but ought first to pass through an ordeal elsewhere; yet, on the other hand, I do submit to my hon. Friend that, viewing the variety and diversity, and perhaps somewhat in the abstract the necessary complexity of the present state of the law with regard to subscriptions, it was allowable, nay, more, justifiable and prudent on the part of the Government not to move a direct negative to assert what we do not believe—namely, the abstract perfection of the present system of subscription, at the same time believing, as every candid man must, that, at any rate, the question may be one for consideration whether some judicious measure for simplifying and clearing them might not be devised. He never said that he was prepared to part with the principle that these subscriptions, whatever they were, ought to contain the *bonâ fide* assertions of concurrence on the part of her ministers in the doctrines of the Church. The difficulties that beset the question are very great; but do not let us be altogether disheartened when we contemplate them. The function of the Church is to teach the truth made known to mankind by Divine revelation. The function of the Church, on the other hand, considered simply as an Establishment, is to adapt itself to the state and exigencies of the nation. It is not always easy to bring these demands together; but when we look back on the history of past generations, the vast majority of us are thankful for the degree in which that great work has been accomplished, and for the blessings which have been conferred on the country through the medium of the national Church. I feel deeply the great evils which prevail at this moment and the dangers even with which we are threatened from internal causes; yet I confess, and I trust this House feels with me, that hope preponderates over fear. When we see the marvellous transformation that has taken place in her clergy, the degree of faithfulness, of self-sacrifice and devotion which, as a body, they have attained—when I see the intelligence they show, and the readiness on every occasion they evince to keep themselves in harmony with the institutions of the country and the wants and dispositions of the people—when I take all these things into view, and reflect that the Church of England is now more earnestly than ever setting herself about her spiritual work without forgetting the civil and social duties for which in a secondary degree she exists, I think we may well take good cheer and be comforted, believing that if in her past history she has conferred benefits on the country, still more will she bestow benefits and blessings upon future generations.

MR. HADFIELD said, it was a sorrowful feature in the history of this country, that for a long series of years a portion of the community had been placed under a ban, for no other reason than that there was a desire to impose restrictions upon one class for the benefit of another—and a ban which was at last admitted to have been a mistake. That he declared on the authority of divines of the Church of England herself. Archbishop Sheldon declared that the subscription imposed on the clergy was expressly intended to exclude from the Church the Puritan (now called the Evangelical) section of her ministers; and he even went the length of saying, that if he had known that so many of that class would, nevertheless, have remained within her pale, he would have endeavoured to make the door still narrower. An eminent prelate now living lately acknowledged that these subscriptions had been framed with great stringency, in order to shut out of the Church those whom, under the prevalence of a better spirit, she would now be glad to employ in her service. Hon. Gentlemen spoke of the Established Church, in all debates in that House, as though she absorbed the entire population of the country, and they ignored everybody else. In another place, a noble Lord, on a late occasion, had been more just. He stated that the Church was only one of a great number of denominations, well and highly organized, which maintained their own ministers, not only for the promotion of religious truth at home, but for its diffusion in all parts of the globe. Surely some consideration was due to that large and most pious portion of the community. The fact was, it was time that all these differences and distinctions, which were so ruinous to the Church, should be taken away. The Church was not equal to its duties, and was not in harmony with the spirit of the times in which they lived. Like the patriarch of old, "Her hand was against everybody, and everybody's hand against her." The Episcopal Established Church of England held no religious intercourse with the Presbyterian Established Church of Scotland, nor with any other class or denomination of Christians whatever. That House was every year packed to maintain a paltry church rate. Hon. Members lauded the Established Church highly, but they forgot the horrors which so many of her humbler ministers endured from penury and want. He had the authority of the late and of the present Archbishop of Canterbury to show how great and pitiable were the sufferings of the clergy. Some of them could not provide themselves and families with ordinary necessaries; and the number of clergymen whose incomes were under £100 a year was stated to be no less than 10,000. The reason he mentioned these things was to show that the clergy were left in this state in consequence of the effectual separation which the advocates of the Church had brought about between them and the people. Nonconformist ministers of every denomination were maintained by their people, without State aid or any private endowment of modern times. If it were possible to produce a better understanding between the different denominations, it would be a boon to the country of incalculable value; but while Churchmen persisted in dividing the House of Commons into sections to maintain their so-called predominance, there would be no religious peace in the country. In Ireland, only one-tenth of the people belonged to the Establishment; in Scotland they were all Dissenters from the Episcopal Church of England, and Episcopalians of England became Dissenters when they travelled into Scotland. In this country the Dissenters were producing an effect which could not long be withstood, in support of their claim to be placed upon an equality with the members of the Established Church. Under these circumstances, he should vote for the Motion before the House.

MR. BUTLER-JOHNSTONE said, he believed that upon the decision of the question before the House rested the essential interests of the Church. He would not yield to any one in his respect and veneration for the Church of England, but there were two ways in which the interests of that institution might be protected. One was by opposing every proposition which might be brought forward from time to time to amend it. The other was by yielding to such arrangements as would obviously give strength to the Establishment and remove any opposition that was urged against it. Friends of the Church might intrench themselves in the position of "no concession." Such was a course of policy which had been adopted on many occasions, but almost invariably with the same result. It was adopted by the Church of Rome at the time of the Council of Trent, and the consequences might be seen in the Established Church of England and the various Protestant communities throughout Europe. It was a policy, moreover, which had been advocated that night with much force, earnestness, and eloquence by many hon. Members on his own side of the House. He could understand the position of those who took that view of the subject, who said, "Don't touch the Church of England, her formularies, and forms of subscription, but oppose every measure which interferes with her." But what he could not understand was the position of those who, like the Home Secretary, said, "There is something wrong in the subscriptions of the Church; they are not abstractedly perfect; on the contrary, they are very imperfect; but, nevertheless, we move the Previous Question." The Motion of the hon. Member for Maidstone merely came to this—that the subscriptions of the Church were abstractedly imperfect; and it was impossible to understand with what consistency, or by what logic, those who supported him in the substance of his Motion could yet arrive at the conclusion to move the Previous Question. It seemed to him that some hon. Members who had opposed the Motion viewed with considerable complacency the danger of the Church at the present crisis. That danger consisted in an unwillingness, on the part of a great number of candidates for holy orders, to take the subscriptions of the Church. The number of candidates who presented themselves in 1862 was only 489, whereas twenty years ago it was 606. During the intervening period the population of the country had enormously increased, and now in all the teeming hives of industry there was a great want of clergymen, pastors, and teachers. That want the Church was rapidly becoming unable to supply. It was not that among the industrious artisans there was any aversion to the Church; on the contrary, the cry in our large towns was, "Come and teach us;" but the Church was not in a position to respond to the call. There was not only a falling-off in the number of candidates for the Church, but there was reason to believe that the men who presented themselves for holy orders were of a different class to that which sought admission to the Church twenty years ago. He wished to add his testimony to that of the hon. Member for Plymouth (Mr. Morrison), who was almost a contemporary of his at Oxford, that there was a large number of the young men at the University who had grave objections to subscribe to those formularies. As perhaps that Member in the House who had last come from the university, he felt himself bound to give his testimony upon that point. He knew many young men at Oxford who, though intending to take holy orders, felt their consciences sorely tried by the subscription, and were unwilling to enter into the ministry, in consequence of the rigidity of the tests imposed by subscription. So much was that the case, that in many of the sermons preached before the University of Oxford an endeavour was made to soften the rigidity of the subscriptions. Young men were told that subscription did not imply rigid adherence to every jot and tittle of the Articles, but many of them felt, rightly or wrongly, that this was paltering with their consciences. They knew very well that the subscription in its literal meaning did bind them to the acceptance of—he would not say every letter, but at least every paragraph of the Articles and every doctrine enunciated in the Liturgy. Many clergymen of the Church, who had remained within its communion for a length of time, had actually given up lucrative benefices rather than go on professing doctrines to which they had subscribed, but which they did not believe in their rigid and literal interpretation. It might be asked how these scruples had arisen now, after so many years of acquiescence. The fact was, that the Church of England was passing through a crisis in its history. During the last seventeen years there had been five great ecclesiastical trials, and in the course of these proceedings the Articles and the essential doctrines of the Liturgy had been elaborated into a code of law more precise and definite than ever before existed. The consequence had been that the consciences of candidates for ordination and of ministers of the Church had been more directly touched than formerly; and when they saw particular words and doctrines in the liturgy and articles pressed against their brother clergy, they felt that every single doctrine therein contained might be pressed against themselves, and that in their subscriptions they were required to subscribe *ex animo* to every word of the doctrines contained in the formularies. Now, what was the subscription? It was the most rigid form of words that man could devise. It was impossible to bind the consciences of men closer than the subscription bound them. He concurred in the opinion that it was perfectly impossible to dispense with all tests and to trust entirely to the laws. Church societies, by their very nature, could not trust entirely to laws. They must have some kind of subscription. It was a question of conscience, and it was necessary that for ecclesiastics there should be certain tests. But the question was, what were the tests that were applied? Were they such as grave men could conscientiously accept in their literal sense? The measure of justice which was asked for was so small, so microscopic, that hon. Members seemed scarcely able to conceive that something more was not involved. They conjured up giants and made mountains of mole-hills. If the measure were carried, it was said, it would bring confusion and chaos into the Church, and men would be found going about preaching all sorts of strange new doctrines. But the party with whom he (Mr. Butler-Johnstone) acted in this matter, did not ask anything of the sort. They admitted that tests must exist. But they demanded that those tests should be plain and intelligible—such as would recommend themselves to the consciences of the clergy. It had been suggested that the formularies should be revised and altered. But the difficulty involved in such a course was clearly pointed out. If they ever opened the gate to innovation in that respect, they would run the risk of rending the Church asunder. His advice was to keep the formularies they had got—they had served for good purposes for three centuries, and in the aggregate they recommended themselves to the consciences of the clergy. If, then, there was great danger in changing the formularies, the only alternative left was to relax the terms of the subscription to those formularies. But, on the other side, it was denied that subscription involved an implicit assent to every letter contained in those formularies. Well, if that were the case, the advocates of the proposed change only asked that this should be plainly stated, instead of being left an open question. The clergymen who preached before the University in favour of giving a limited interpretation to the words of the subscription were only asking for the removal of the burden from the consciences of those young men who were unable to make the subscription in the rigid sense which many of them considered imperative. It had been remarked that during the late controversies the Church had evinced a readiness to anathematize the authors of certain obnoxious and strange doctrines, but she had been slow to bring forward any direct proof of the truth of the doctrines impugned. In his opinion, the Church of England, being founded on truth, had nothing to fear from the most open and complete discussion of the most agitating questions; but if they took away from the service of the Church the educated men of the Universities, if they weaned away those who did honour to the Church, and if not only the quantity of ministers required was diminished but the quality was changed also, would it not be a serious loss to the Church of England if she were unable, upon occasions of importance or urgency, to produce champions able and willing to stand up for her doctrines, and to refute the errors and heresies which might from time to time be brought forward? That was her real danger. If she lost the services of one man unjustly, that one man might have turned out an Archbishop of Canterbury, and have proved the redemption and salvation of the Church. The danger of the Church was of losing her hold upon the educated mind of the country, and upon the hearts and affections of those who wished to devote themselves to her service, but who were restrained from doing so simply because they felt that a heavy weight was placed upon their consciences by the subscription. It was admitted that the subscription was more rigid than was intended. Then, why, in the name of common sense, was it not reformed; why was it not framed to express clearly what was really meant? A declaration to this effect:—"I approve the doctrines, discipline, and worship of the Church of England, and promise to conform myself thereto," would, in addition to the rigid examination of candidates, be quite sufficient to preserve unity of doctrine in the Church. He believed that the great danger to which he had alluded would be averted by the small and timely concession asked for, and he was certain that that was the opportune moment for such a change being made with advantage. If, however, they refused this concession, he was certain that the danger would go on gradually increasing, and that the consequences might be the refusal of all young men of ability and piety to take holy orders. It had been said that Parliament ought not to interfere, but that steps should be taken somewhere else. But that would be delegating the decision of the matter almost to the Greek Kalends. Unless Parliament interfered and insisted upon a change, no change would take place. But there was something peculiarly appropriate in the House of Commons interfering in the matter. The subscriptions were imposed by Parliament. The assembly which imposed them ought to relax them. They were imposed in times of political passion and sectarian animosity. These times had passed away. There now existed a spirit of kindness, and justice, and moderation. Let hon. Members—and especially those on that (the Opposition) side of the House—as they valued the institution of the Church and her well-being for the future, pause before giving a vote which, by maintaining the whole rigidity of subscription, might go on increasing the evil until it became insuperable and could not be removed.

MR. LEFROY said, he thought that in these days of doubt and uncertainty in points of doctrine they ought not to encounter the risk of making a change without due deliberation and reflection. He should, therefore, give a cordial vote for the Previous Question.

MR. HENLEY said, they had heard two extraordinary statements—one by the hon. Member for Plymouth (Mr. Morrison), and the other by the hon. Member for Canterbury (Mr. Butler-Johnstone). One of those hon. Gentlemen took upon himself to say that all persons who took these tests took them with mental reservations. He did not understand how any human being could take upon himself to make such an assertion with regard to others. His hon. Friend the Member for Canterbury, if he would allow him so to call him, made the same statement with regard to the young men generally at the Universities—that they took the tests not in the plain sense which the words bore. Now he (Mr. Henley) lived near the University; and although unfortunately he was not a young man, he did not think what was asserted as to the young men could be general without his having heard something about it. A good deal had been said about the abstinence of young men from taking orders. One material element which bore upon that question had been omitted, and it was one in exactly the same direction in which they were invited to go further—namely, relaxing subscription. Ten years ago the House stripped the Church of that great nursing-mother, the fellowships in the Universities. It was no longer necessary that those who sought fellowships should intend to become members of the Church. The provision which pious men had made for those who entered upon holy orders the impiety of the last Parliament had taken away, and he thought that was some slight reason why there were not quite so many candidates at the University of Oxford. There was another matter, perhaps, not without influence. Within the same period they had had a great deal of what was called the light of reason in that University. How far that light of reason, reflected by some of the most able, the most influential, and the most amiable of men, had unsettled young men's minds, and made them indisposed to believe anything, he was unable to say, but it was a question which had not been introduced to the notice of the House. He did not think that the case exactly stopped there. They were told that all that was asked was a little measure. The hon. Gentleman said, "I adhere to the formularies, and I agree that it is dangerous to try to touch them." No person who had spoken was able to lay his finger upon any point of the formularies or the Articles, and to say, "This is what we want not to subscribe to." The hon. Gentleman went a great deal further, and said, "We must have rigid subscription." If the Articles were to remain the same, if the formularies were to remain the same, and if they were to have rigid subscription, where was there room for any change? [Mr. BUTLER-JOHNSTONE: I said rigidly-maintained subscription.] Rigidly-maintained subscription! They would see what that came to. The Chancellor of the Exchequer rather threw out, and the hon. Member for Maidstone took the same line, that there might be a difference between a man pledging himself to conform to a useful thing, and pledging himself to believe in it. That was very near what "rigidly maintained" meant; that was to say that a man pledged himself to conform to a useful thing which he did not believe. If he believed it, what objection was there to say so? If he conformed without believing, what sort of morality was it? For a person to profess to subscribe to a doctrine or prayer who did not believe in it, and for him to go into the House of his Maker and use that prayer to the congregation not believing it himself, was a kind of morality which he could not understand, nor did he believe the people of this country would understand it. It was said that the subscriptions had grown up at different times. Was it not possible that there might have been a time when people were in the state to which it was wished to bring them now, ready to promise to use that which they did not believe, and therefore more rigid subscriptions were imposed? He did not see the wisdom of assenting to a Resolution such as that proposed by the hon. Member for Maidstone, who did not indeed propose to cut the cable and let the ship go altogether loose, but who asked the House to agree to do something less than that, when no doubt he and those who supported his views would declare plainly enough what it was they actually required. He thought the hon. Gentleman would have been taking a more straightforward course if he had stated at first what it was he wanted to be done. It should be borne in mind that this country had an Established Church which enjoyed large revenues. If those revenues were larger, they would not have so great a want of persons coming into the Church as at present. But large though they undoubtedly were, they were, he believed, hardly sufficient for the need of those who were dependent upon them. Indeed, the hon. Member for Sheffield (Mr. Hadfield) could never again, in his opinion, fairly complain of the amount of those revenues, inasmuch as he had informed the House, from the pages of some book which he held in his hand, that there were 10,000 clergymen in the Church who had not each £100 a year. If that statement were correct, the resources of the Establishment could hardly be regarded as extravagant. But what, he would ask, would be the case of the Establishment, with revenues whether large or small, if Parliament were not to lay down strict rules as to who was to have them? Was there to be a scramble for them? because that was what it would amount to if a contrary course were pursued. The State had declared that no persons should get a share of the property of the Church unless they entered into an engagement to agree to that form of faith which pious and learned men three hundred years ago had defined to be, as far as human wisdom could define anything, that which was the truth from the beginning. Such was the position in which they stood, and he, for his own part, would have been much better satisfied if the Government had met the Motion of the hon. Member for Maidstone with a direct negative, because, guarded though the course which they took had been by the speech of the Chancellor of the Exchequer, still people would be led from the speech of the Secretary for the Home Department to infer that the Government were of opinion there ought to be an alteration in the direction proposed. He the more regretted that that impression should prevail, because he did not think the Government would enter upon any such alterations, inasmuch as if they were to do so, they would be bringing, as it were, a sort of old house about their ears; and they were, he thought, too prudent and discreet to do anything of that kind. No good could, in his opinion, be effected by opening the question, unless it was proposed to admit parties in the most dishonest and immoral way, by allowing them to profess to use things in which they did not believe. No candidate who got in in that way, though he happened to have intellect, and he might have plenty of it, would confer the same benefits on the Church as an honest, pious man who might not be possessed of such an abundance of intellect.

Mr. HENRY SEYMOUR said, he thought the hon. Member for Maidstone might, from what had taken place in the course of the discussion, argue well for the success of his Motion, if not at that time, at all events in a future year. It was evident that the opinions of the rising generation were favourable to a change, as testified by the hon. Member for Canterbury; nor was it, he contended, the wish of those who took that view to create a scramble for the revenues of the Church, but rather to obviate the conscientious scruples of those who would prefer retiring from the Church to remaining in the ministry in defiance of the just scruples of conscience. The question was a most serious one, because it was clear from the charges of the various bishops in their dioceses that the number of young men who presented themselves for ordination was decreasing, and that the Church no longer got, as the Chancellor of the Exchequer said she once did, the pick of those who went to the Universities. Now, he would say, in reply to that right hon. Gentleman, who spoke in a mysterious manner as to the expediency of any movement on the question commencing out of doors, that it ought to begin in that House and nowhere else. He could infer from the remarks of the right hon. Gentleman that he wished it to be initiated in Convocation ; but he (Mr. Henry Seymour) concurred in the opinion of the hon. Member for Canterbury (Mr. Butler-Johnstone) that it would be far more satisfactory to the country if it were to be dealt with in Parliament. Great jealousy was felt of the increasing discussions in Convocation, and there were, he believed, many good Churchmen who would not at all object to see that body altogether abolished. The right hon. Gentleman the Member for Oxfordshire (Mr. Henley) alluded to the nature of the tests which were required ; but he was not prepared to enter into their history. He might, however, observe that the test of assent and consent to everything in the Prayer Book was, as well as he could recollect, imposed in the reign of Queen Elizabeth. [*A laugh.*] Well, he did not in the least remember when it was imposed, but he knew the reason of its imposition was that many clergymen at the time said they would give their assent and consent as far as the word of God permitted. Some hon. Gentlemen, however, said, " The Bible is nothing to us. We will oblige you without reference to anything in the Bible to subscribe a dogmatic test which we and our co-religionists hold." But it should be borne in mind that the times when the test was framed were times of violent passion ; and that being so, it appeared to him to be only proper that in these days of moderation they should dispense with that which was then, perhaps, properly imposed. Could the Church, he might ask, do without those tests ? The Episcopal Church in America was held together by a test exactly the same as that which was mentioned by the hon. Member for Canterbury, conveying a general agreement in the doctrine and liturgy of the Church ; nor should it be forgotten that the Episcopal Church in America had had far greater differences to deal with than ever the Church had in this country. It was therefore clear that rigid tests were not necessary in order that the Church should be maintained. The Chancellor of the Exchequer had adverted to the single-mindedness and devotedness of the clergy of the Established Church ; but he hoped those qualities would not be exhibited by them in leaving their livings and a Church to which they were attached, because their consciences would not allow them to make certain subscriptions.

LORD ROBERT CECIL said, no inconsiderable portion of the discussion seemed to have turned on the reasons why young men who went to the University would not enter the Church. Many reasons had been suggested to account for that fact, which were somewhat of a prosaic and grovelling character. Some persons seemed to think that the reason was that more was to be got in other professions. Others believed that the falling-off arose from the fact that the Church offered prizes which were infinitely smaller than she did when young men were so anxious to join the ministry ; while the most pertinent suggestion of all had been made by the right hon. Gentleman the Member for Oxfordshire, when he said that fellowships were no longer exclusively appropriated to the Church. But although exceedingly intelligible grounds were thus stated to show why young men should not go into orders at the present day, he could not help feeling that the mere spiritual and religious grounds were much enveloped in mystery. He could not exactly discover from the course of the debate in what the scruples of those young men consisted, or what manner of men they were. As far as he could see, they asked for no change in the formularies. Then it was said that they did not wish to make any dishonest subscription, but to subscribe the Articles precisely in the way in which they were imposed by law. Now, there was no doubt as to that. The law required subscription, in accordance with their plain and grammatical meaning. It appeared that the young men perfectly agreed with the Articles, and were willing to go into the Church and preach them, and maintain them to the end of their lives ; but they were afflicted with an inexplicable bashfulness, which forbade them to say so on paper. They believed in the Articles, but they were unable to express that belief ; and they further said, that if the requisition that they should profess their belief was removed, they would come into the Church, and earnestly preach the very Articles which they declined to subscribe. It was utterly impossible for him to believe that that was an accurate representation of the state of the minds of the young men at Oxford. He had no doubt that a great intellectual movement was going on, and that there were more men who were unwilling to go into the Church than there used to be; but the cause lay much deeper than the opposition to subscription. The hon. Member for Canterbury had betrayed that. He called this an infinitesimal measure of justice. Such an expression implied, that if more were granted, that would have been justice too, and therefore that he sought for more. The truth was, it was not merely the subscription that was objected to—it was the Articles themselves. [*Ironical cheers.*] Hon. Members cheered scornfully, as though he were stating some truism; but this had been steadily denied throughout the debate. It had been said that no alteration of the formularies was required, that it was only the subscription which was odious. The truth had been glanced at by the right hon. Gentleman the Member for Oxfordshire. An intellectual movement against the truths which these Articles enshrined had been commenced and was going on at Oxford. Owing to the subsidence of the great controversies which had occupied the last thirty years, there was now more unbelief than there had prevailed before within the recollection of the oldest Member of that House; and it was not unbelief upon small points. It was not unbelief upon points with which they might dispense; it was unbelief which went to the foundations of their religion, and with which therefore they could not compromise. The hon. Member for Maidstone did him the honour to refer to him, and to anticipate that, as he was pleased to term it, he should pour out the vials of his wrath upon him. He was sure that nothing so kindly and inoffensive as the speech of the hon. Gentleman could excite wrath in any one; but if he might give him a little counsel, he would recommend him, next time he brought forward this Motion, to ascertain precisely what he himself wanted. He did not think that he had yet made that discovery. The hon. Member for Canterbury said that the reasons why the subscription of the articles was more burdensome now than it had been during the last two hundred years was, that this was an age of ecclesiastical trials. Ecclesiastical trials were not produced by subscriptions, nor would the abolition of subscriptions put an end to such trials. But, no doubt, the hon. Gentleman pointed to the real source of the evil. If they wanted to attract to the Church the young men who now declined it, they must get rid of the law under which these trials were held. The foundations of faith were shaken, and men's minds were casting about for something to believe. It was on that account, as much as on any other, that difficulty had been found in introducing the higher intellects of the day into the service of the Church; and if they wanted to remove that difficulty, they must go much further than the Motion before the House. They must abolish not only subscription, but all the legal penalties for heresy. They must open wide the gates of the Church and let into it every species of believer. They must close the doors to none. The day was past when they could keep out the Unitarian and let in the Calvinist. It was a question of all the deepest and widest elements of their faith; and if they wished to remove the grievances which had arisen, there was nothing left for them but to admit each man to the pulpit to preach, not what his Church maintained, but precisely what he liked, to the congregation. That he apprehended to be the real grievance; that, he believed, was the only remedy. It was said that the forms of subscription were a tyranny. He believed, on the contrary, that they were a safeguard against tyranny. The hon. Member for Maidstone, throughout his speech, appeared to forget, that if they took away the tests which existed by law, the officers of the Church would take immediate measures to protect themselves. The bishops could refuse ordination to any man they liked. They could close the doors of the Church as narrowly as they pleased, if they were challenged so to do. Hitherto they had abstained from taking such course; but as soon as the legal guarantee was gone, and they knew that the necessity for ordination was the only check which prevented the pulpits of the Church being occupied by persons who absolutely disagreed with its doctrines, they would set up checks and tests of their own far more rigid than those which it was proposed to abolish. Professor Stanley, in that eloquent and able pamphlet to which allusion had been made, referred to the cases of other denominations, and stated, with something like triumph, that the Baptists and Independents had no tests, but that they had been able to preserve the purity of their Churches. He had no doubt that that was true; but what really happened was this,—the candidate for orders in those communities was made to profess his faith verbally, and the officer whose duty it was to ordain judged for himself whether he should admit him or not. There was no formal test or subscription, but it was absolutely in the discretion of the ordaining officer whether a man should be admitted to orders or not. Let them imagine the existence of such a state of things in the Church of England. Let them suppose questions such as those which were put by the Bishop of Exeter to Mr. Gorham or others similarly precise in the opposite direction, being asked of candidates in every diocese. Could they imagine a state of things more full of confusion or more damaging to the Church, than that each bishop should prescribe the form of faith for his own diocese, and should supply, by new and minute questions invented by himself to meet the controversies of the day, the place of those tests which they were now with rash hands trying to take away? Such a system could produce nothing but chaos and difference of opinion between one diocese and another. A High Church diocese would produce a High Church clergy; a Low Church diocese a Low Church clergy; there would be Infidelity in one place and Romanism in another. The only passage in his hon. Friend's speech with which he was disposed to find fault was that in which he said that the present system compelled clergymen to tamper with their consciences. That was an imputation against the whole clerical body of the present day, which was not justified by any facts. Nor was it confined to the clergy of the present day. For two hundred years these tests had been constantly and cheerfully subscribed by some six generations of clergymen. All these men, all the great lights of the Church since 1662, were by the sweeping denunciation of his hon. Friend accused without exception of having been compelled to tamper with their consciences. That was an imputation which no one had a right to make. That long experience was the best answer to the statements which had been made. They might depend upon it that an experience of two hundred years was a better guide than the experience of his hon. Friends the Members for Canterbury or Plymouth. Oxford life was but three years in duration, and it was the experience of three years against that of two hundred. Two hundred years furnished a better average of the ordinary tendencies of humanity. There was a great sore at that moment. They felt it, and smarted under its disgrace, and were anxious to find a remedy; but from the fact that for two hundred years the Church had flourished under the system which they desired to abolish, could they not draw the conclusion that the present melancholy state of things was only transitory? However bad it was, however disgraceful it might seem, however much they might desire to remedy it, there was, it seemed to him, ample comfort in the facts before them. They knew that human nature did not change so much, that the spirit which had reigned before would reign again, and that in future as in past years they would see men of deep piety and fervent devotion able to spend a life of usefulness in the service of the Church, and able to accept these tests without the slightest reluctance, and without the slightest tampering with their consciences, just as they had been able to do through the years which had been the glory and the fame of the Church of England.

MR. DISRAELI: It is with reluctance that I rise, Sir, after the very able speech of my noble Friend, who has touched, and touched with so much force, on many of the important topics that we have discussed this evening. But really I cannot reconcile it to myself to pass over in silence the course which the House has resolved, partly, I believe, from accident, to take this evening — a harmless one, no doubt, if followed with a clear understanding on both sides, of the feelings and opinions under which it was adopted. I cannot myself at all agree that moving the Previous Question was a proper mode in which to encounter the Motion of the hon. Member for Maidstone, and I believe that is not an opinion peculiar to myself. From circumstances of a technical and passing nature the House has adopted that course; and my right hon. Friend the Member for the University of Cambridge having acquiesced in it—I fancied with some reluctance—I do not think it becoming towards one whom I always wish to treat with that deep respect which he deserves, to disturb the arrangement at which the House has arrived. But feeling the importance of this question, and knowing that the vote given and the procedure adopted to-night may be hereafter represented to the disadvantage of those who object to the Motion, I beg to say, that though after the speech of the Chancellor of the Exchequer the course we are about to adopt is, I am happy to believe, perfectly harmless, and one not altogether devoid of propriety, it is not the one which I myself should have suggested. The hon. Gentleman the Member for the University of Dublin said he should give a cordial vote for the Motion of the Previous Question. I have, in the course of my time, voted occasionally for the Previous Question, but I never gave a cordial vote for it; and, of all the Motions made in this House, it is one which I should least expect, and which I have never previously known, to receive the cordial adhesion of any hon. Gentleman. I should never adopt voting for the Previous Question as a testimony of the ardour of my feeling, or of the strength of my conviction.

This important discussion, the result of which will not pass away with the transient debate of to-night, commenced with the Motion of the hon. Gentleman the Member for Maidstone, in which he appeared, as I understood him, to counsel the relaxation of the subscription to the Articles and the Liturgy, in deference to the overwhelming power of public opinion. The hon. Gentleman feels that his case is irresistible, because he is supported and animated by the invincible power of public opinion. The hon. Member for Pontefract, who followed, giving a partial adhesion to the views of the hon. Member for Maidstone, counselled us to take, not an identical, but a limited course in the same direction, on a ground totally adverse—namely, that public opinion cannot be trusted, that its deleterious tendencies must be fenced out and guarded against. The House, after hearing the statement of the Minister, agreed not to support either the Original Motion or the Amendment; but it consented to a course which, without explanation, gives an implied assent to the position of the hon. Member for Maidstone, and also to the Gentleman who proposed the Amendment, by admitting that there are grounds entitling the question to the consideration of this House. Now, what are those grounds? Subscription to the Articles and to the Prayer Book is objected to—I am now trying to give a general description of the main arguments we have heard—because they are opposed to that comprehensive character which I suppose all of us are agreed that the Church should assume and maintain. No one is more in favour of the comprehensive character of the Church of England than myself; but I would make this condition—that the comprehensiveness of the Church of England should be based on Church principles. The hon. Gentleman the Member for Maidstone, as others before him have done, pointed out the origin of the Act of Charles II., to which he supposes such injurious effects upon the comprehensive character of the Church may be ascribed. He has shown us how many, who might be included in the pale of the Church, are no longer found in its fold; and he has denounced the ancient legislation, the consequences of which may be found in our present situation. I doubt very much the general justice of this criticism, and I doubt whether it was possible at that time, or at any time, in this country, or perhaps in any country, to prevent in matters of religion what is called Dissent. I look upon Dissent—I am sure the hon. Member for Sheffield will pardon me for saying it—as a weakness incident to humanity. Look at the case of the Roman Catholic religion. I will be bound I could show, if it were necessary, that there has been as much dissent, as much heresy, as much schism, in the Church of Rome as in the Church of England. But the dissent has occasionally been forcibly suppressed, the schism has in some instances been adroitly managed, and the heresy has found a safety valve in the institution sometimes even of monastic orders. You have found this in a religion established on the principle of infallibility, and in countries where that religion has been supported by the Civil Power, assuming, generally, an arbitrary character. What, then, can we expect in a country where, instead of infallibility, religion is founded upon the principle of free inquiry—and where, though that religion has, generally speaking, been supported by the Civil Power, that Civil Power has yet been established on the principle of civil liberty?

It is only as politicians and as statesmen that we may presume to speak in this House upon this subject, and I maintain that in modern times, since that year 1662 which has been just quoted to the House, no English statesman has ever contemplated that the Church of England, though founded on a catholic creed, should at the same time command a catholic communion. For the last two hundred years no Statesman has contemplated that the whole population of England should be within the pale of the national Church. What has been contemplated in these centuries of what I may call the practical working of our Constitution has been this—that there should be a standard of religious truth established by the State in the country; that the religious principle should be recognized as one of the most important and influential in the conduct of Government; that the Government of this country should not be reduced to a mere question of police; but that we should seek to influence the conduct of men by the highest sanction which can be conceived. Sir, I say that object has been successfully accomplished by the Church in its connection with the State in England during the last two centuries. We have to-night a new system commended to our notice, which is to bring about a state of affairs more comprehensive. The first principle of this new system is, that not only the creed of the Church should be catholic, but that the communion should be catholic, and that we should all belong to the same Church—a doctrine not very favourable at the outset to that principle of religious liberty which, I believe, is still much esteemed in this country. When you analyse this doctrine it comes to this:—The comprehensive Church is, in fact, to be a Church founded very much on the same principles as that federal constitution of America, of which in this House we have heard so much and so often, and with regard to which recently we have witnessed such strange and startling experiences. All creeds are to belong to one Church, but all creeds are to retain their own particular opinions. But that experiment has been tried to a great degree on the Continent of Europe. You have had it in Germany; you may see its effects to a certain degree, in France; and you may trace them not only in Europe, but in America. You have what without offence may be called an infidel Church, composed of various sections of the population, some of them often influenced by fanatical impulses. If on the Continent such an experiment has not been over-successful, what are our chances of success in England, where feelings on religious subjects are so deep and enthusiastic? No one can doubt that the consequences would be of a perilous character, perhaps disastrous to the State, and entailing results which none would dare to contemplate, and all must wish to avoid. Therefore, I very much doubt whether this system of comprehension on which the relaxation of these tests is recommended is a sound one. A Church may be so comprehensive that no one may comprehend it.

It is really a question for us to consider, if this Act of Charles II., which has been so much vituperated to-night, had not been passed, what might not have been the historical fortunes of this country. It is perfectly absurd to consider the Act of Uniformity in an abstract sense without reference to the spirit of the time in which it was passed, and without any relation to the events which preceded it. The hon. Member for Poole (Mr. D. Seymour) told us that it was passed in a time of passion. It is very well for us to describe a period as a time of passion; but what we describe as a time of passion was, in fact, a time of feeling. Men thought and felt, and they did something. All the great things done in the history of England were done in a time of passion. If you scrutinize the means and motives by which the great statutes and the great charters of English liberties were obtained, on which were established the deep foundations of the glorious edifice of our social life, you may make as good a case out against them as against Archbishop Sheldon. Take the Grand Remonstrance. It was carried by a casting vote, or something of the sort. You might say who cares for a political document which depends on such a pedigree; and yet I do not suppose any one would be swayed by a criticism of that sort on the great doctrines which were vindicated and upheld by the Grand Remonstrance. The language of those tests has been much criticized to-night. Some hon. Gentlemen have expressed their approbation of them as a whole, but they say there is a word here which does not please them, an expression which might be altered. But is this the tone in which we ought to view the ancient documents of the nation, upon which its most important conditions depend. Take the Bill of Rights. I will be bound to say, that if I were to give notice that on going into Committee of Supply on Friday night, say, I would introduce the Bill of Rights to the notice of the House, and make a Motion upon it, I would make such a case out against the Bill of Rights by criticizing all its articles that I should stand in almost as eminent a position as the hon. Member for Maidstone. I dare say I should have some followers, if not many in this House, at least out of it; and no doubt it would take a position among Parliamentary questions. But I do not think that any sane man, without any reference to the justice of my criticisms, would say that it was a wise thing, or for the welfare of the country, to call the Bill of Rights into question; on the contrary, I am quite sure that any person who took such a course would assume that position in political life to which he was fairly entitled. I would say, therefore, with all respect for the hon. Member for Maidstone, that that part of his case which rests upon the expediency of making the Church comprehensive, and upon the injurious effect which the Act of Uniformity has had on its comprehensive character, is neither sound nor true; and that, in fact, if you are to indulge in what I would presume to call *dilettante* criticism, there is scarcely any record of our rights — scarcely anything which was ever done by the great men who preceded us in this and the other House of Parliament which may not be cavilled at, questioned, and improved. But the result would be that the edifice of our rights and liberties—of our political and social life, which has been raised at so much pains and so much risk, would be reduced to nothing—it would be resolved into its original elements—the fabric would crumble into dust.

I admit that there are grave reasons for the hon. Gentleman bringing forward this question, other than the argument that by relaxing the terms of subscription you may render the Church more comprehensive in her character. I have no doubt that there are reasons peculiar to the present time which act with great force, and have great influence on masses of society, more especially on that youthful portion of society to which we must look forward, whether as clergymen to continue the ministration of the offices of our Church or as laymen to be among its ardent supporters. Their existence has been frankly admitted to-night, and especially by recent speakers. I think there is in the times in which we live a circumstance which disturbs the public mind, which has influenced the spirit of youth, and has acted very injuriously on those who would otherwise enter into holy orders. It is quite unwise to conceal it, and it is idle to explain it, as is the fashion even in high places, by statistical arguments. I do not believe that the want of candidates for ordination is to be accounted for by the enormous nuggets which are to be discovered in Australia, or by the large fortunes said to be realized by civil engineers. I believe the youth of England are actuated by more noble and generous feelings. I was myself once young, and committed many follies; but in that time of my life I can most frankly declare that I was not influenced by such considerations, and I believe the generation to which we look forward with hope and confidence is equally free from such degrading ideas and sordid motives. Still, it cannot be concealed that there is much in the theological studies of this country, much in the theological productions of the day, which naturally would influence and disturb the ardent and susceptible mind of youth.

The hon. Gentleman who seconded the Motion informed us, and I agree with him, that it is likely that for many years questions respecting the Church and religion may be brought under the consideration of the British Parliament. I trust, however, that we shall be able to discuss those questions in a manner becoming our position—that we shall remember that we are not a lay synod, but that we are the Reformed Parliament of England. I hope that when those questions come before us we shall not discuss them like those Members of the Long Parliament, who on occasion pulled their thumb Bibles from their waiscoat pockets, and enforced their arguments *pro* and *con.* by quoting chapter and verse. On the contrary, I hope that we shall remember the constitutional and social position which we occupy, and meet the difficulty without exciting any feelings but those which are suited to the unimpassioned sphere of the British Parliament. But without entering into any religious controversy, I would venture to say that there is nothing very new, nothing very original, and nothing very alarming in this periodical appearance of a particular branch of literature which is supposed to have affected the opinion of the country and to have rendered it necessary that we should suddenly and precipitately alter the Act of Uniformity. It is important that we should remember this. I would venture to say to those who are young — because, though they have devoted themselves with so much care to the cultivation of their minds, they may be pardoned for not being perfectly aware of what has happened with reference to this subject before—that there is nothing new in these doubts which have been thrown out, and which appear to have recently agitated some portions of the public mind. A century and a half ago, at a time when England was in a state of great civilization, these views were very prevalent in this country—much more prevalent than at present. It was a natural reaction from that immense triumph of Puritanism which had destroyed the institutions of the country, and which apparently had effected an enduring change in the national character. That Puritanic spirit passed away, however, and left behind great latitudinarianism as a consequence, which ended in a general spirit of scepticism. The state of things was far more alarming then than now. The most alarming thing now, it is said, is that an infidel may be made a bishop ; but infidels then were actually made bishops. There was at that time a large body of the ablest writers and most eminent men that England ever produced devoted with greater courage, and in a far more unblushing manner than is now the fashion, to the propagation of those ideas which are now circulated with more modesty, and perhaps with a more timid spirit. You had men of high position, Ministers of State, and other distinguished persons among the educated and influential classes of society adopting these opinions in the reign of George I. What happened ? A century passed away, and what permanent effect was produced by these opinions, although they produced a literature of their own, which was second to none in acuteness and learning, and although they were sanctioned by persons in high places ? What have been the consequences, I will not say to the Church of England, but to the faith accepted by that Church ? Why, there never was a period in which the religion of this country, and especially the religion embalmed in the offices of the Church of England, was ever more influential, or more expansive, or flourished more than in the century that has elapsed since that time. And I defy any one to bring me passages impugning the faith of the Scriptures in any works recently published in which these doctrines are urged with more power or more learning than by the writers of that period.

But then it may be said that England is an insular country, and that Englishmen are a peculiar people ; that they have an aristocracy, and a Church possessing territorial power ; that the middle classes are bigoted, and the aristocratic classes interested in preserving the Church, and that by a combination of circumstances it has happened that a natural result has not been attained. But we have seen the same causes at work on a much larger scale, and at a period more recent, in a neighbouring country—a country that is not insular, that has destroyed its aristocracy, subverted its priesthood, plundered its Church, and left no prizes to be competed for in it. We have heard that the reason why there are less candidates for orders in the Church of England is that so many prizes have been taken away. But what happened in the Church of France when all its property had been taken ? The whole institutions of the land, ecclesiastical and otherwise, were erased ; yet, as if by magic, parish churches have re-appeared in the 30,000 districts of France; and although they have had monarchies, empires, and republics, and may have in the future a combination of Government which no one can anticipate, yet the Christian Church in that country counts at present more powerful and more numerous adherents than ever. Therefore, I say, that it is a great mistake, and an opinion not sanctioned by experience, to suppose that we are encountering a novel and revolutionary phase of opinion, and that in consequence of views which have before this been advanced, have flourished, and then disappeared, the House of Commons is to meet in a panic to revise the great title deeds of the Church of England, and to say in this hasty moment of the introduction of a new philosophy that the measures taken by the great statesmen and Churchmen of the days of the Stuarts at an important crisis were a profound mistake, seeing that they have only secured for England two centuries of tranquillity and repose ! Totally repudiating as materials for legislation on such a subject the passing accidents of the hour, which, however, naturally influence the youthful mind of the country, I will make one remark on the character of the subscription, and on the Creeds and Articles which are now brought forward as unsuited to the age in which we live, and which are regarded as so objectionable that a Ministry to whom is intrusted the defence of the institutions of the country are not resolute enough to come forward and oppose the very crude Resolution before the House, but are obliged to meet it with the Previous Question.

I have understood from every Gentleman who has spoken to night, except the candid Member for Sheffield, that he is in favour of maintaining the Established Church of this country. The advantages which accrue from the existence of the Church of England have been adverted to by different speakers; and from the hon. Gentleman who introduced the Motion, and the hon. Member for Pontefract, who moved the Amendment—I have not heard from any of the speakers any objection or insinuation against the wisdom of maintaining the Church of this country. Well, but what do you mean by a Church? I say, no Creed, no Church. How can you have a Church without a creed, articles, formularies, and a subscription? If you object to a creed, to formularies, and to articles, tell us so, and then we shall understand the question before us. We will discuss that question, and the nation must decide which side they will adopt. But if you are to have a Church, I maintain you must have symbols of union among those who are in communion with that Church. That I hope is not bigotry, for we must speak on this subject as politicians, and not intrude our private religious convictions on any Member of this House, but consider this weighty matter with reference to the happiness of society, and the means of lofty and virtuous Government, by the aid of which we may prevent Government from degenerating into a mere machinery of police. We are agreed, then, that we shall have a Church, and that it shall be maintained. Well, I want to know how are we to have a Church without a symbol of union among those who are in communion with it? No one has told us. If we are to have a Church without articles, creeds, or formularies, we shall have the the most pernicious and the most dangerous institution which ever yet existed in any country, the means of which for evil, under the disposition of able men, are entirely incalculable. We are often favoured by the hon. Member for Warwickshire (Mr. Newdegate) with bulletins on the progress of Jesuitism. The Jesuits have done great things, and we may hope that they may not rival their past achievements; but, whatever conception the hon. Gentleman may form of the evils which the Jesuits have inflicted or may inflict upon society, they never contemplated or acquired a more fatal influence than that which a Church may possess and must exercise in a country like England, when it is a Church without a creed, without articles or formularies.

I would say one word on the course which the Government have taken and may take on the religious controversies before us. How ought we to act? I think that no case has been made out at present to justify the course taken by the Government. I think that the Chancellor of the Exchequer misunderstood an expression of my hon. Friend the Member for Stamford, when he laid it down that my hon. Friend's words justified the course of the Government. I agree with the Chancellor of the Exchequer—every man of temperate mind must agree with him—that neither the articles of the Church nor the Prayer Book are perfect There may be blots in their composition. The Prayer Book may be Divine, but it is also human. But I do not see anything in the present state of affairs that justifies the course taken by the Government. Suppose there were circumstances that justified the course taken by the hon. Member for Maidstone. Is the course taken by the Government that which they ought to take? I do not think it is. If this House be ever of opinion that the title deeds of the Church require to be revised, in however modified a manner, it does appear to me that the inquiry should not originate in either House of Parliament. It has been said in the course of this debate that the Act of Uniformity at present in question is an Act of Parliament, and that as it originated in Parliament, its revision and formal reconstruction ought to take place there. With regard to that, I say the character of Parliament in the reign of Charles II. and of Victoria is decidedly and essentially different. Parliament is no longer a lay synod, and therefore it cannot of right and with propriety assume such a function. No doubt, if a revision were to take place, the opinion of Parliament must ultimately be given on the general merits of the question. But it would not enter into every ecclesiastical detail and religious difference of opinion, if for no other reason, from that innate sense of propriety which always guides it. But, I say, if revision be necessary, it is from the temporal head of our Church that measure should flow, and by the Queen, and by the Queen alone, it should be indicated. A Royal Commission is the proper medium by which any change which may be necessary either in the Articles or Liturgy of the Church could alone be brought under the consideration of authority. What authority? The hon. Member for Poole (Mr. Henry Seymour) says, "Who would trust the discussion of this question to Convocation? I regret that Convocation has ever been called into existence, and I trust its attributes and functions will soon be terminated." [*Cheers from below the gangway on the Government side.*] I cannot agree with that opinion; I cannot sympathize with that cheer. It seems to me—and I say it with the greatest courtesy—extremely bigoted and narrow-minded. Why should Convocation be silenced? Convocation is a representative body, and should therefore recommend itself to the Liberal party; it is a body which carries on its affairs by public discussion, and therefore should be regarded, I think, with some respect by those who are devoted to reformed Parliaments. And I must say this of Convocation: I admit that as at present constituted there are elements which render Convocation not altogether a satisfactory tribunal. But it does not follow that Convocation should be therefore altogether abrogated. Let us be just to Convocation. It was recalled into existence after a long lapse of time. It was unused to the functions which it was summoned to exercise. It consisted entirely of clergymen, and loud were the predictions that it would fail, and fail ignominiously. But I ask sensible and temperate men on both sides of the House, is it fair to give that character to the labours of Convocation since it has been revived? I say myself, revived as it has been after a long desuetude, trammelled as it has been, checked and controlled as it has been in a manner that would have broken the spirit and crushed the energies of any assembly, it has done many things deserving of approval, and, what is more, has done that which all predicted it would not do in the brief term it has been permitted to exercise its powers—it has shown an extremely practical character. I would wish its basis were more comprehensive, and I cannot see how any appeal could be made to Convocation on such a question as that which has formed the subject of controversy to-night unless that basis were more comprehensive. You must associate with it the other province and the Church of Ireland, and I myself think you ought to introduce that lay element to which the Church of England has been so much indebted. Nor do I doubt that there are lay members of the Church at the present moment who, from their learning, their knowledge of men, and their high character, might bring to Convocation such ability and reputation as Selden and Chillingworth might have brought in former days. But if it be the opinion of Government that it is necessary to revise the Liturgy and Articles, they ought to proceed, not by moving the Previous Question, but by the initiatory Act of the Crown whom they counsel; and after a Royal Commission had been instituted and had terminated its labours, the result might, with propriety, be submitted to a Convocation constituted on the broad basis I have indicated. It may be said these are difficult questions; but it is the province of Government to cope with difficulties; and whatever the decision arrived at might be, it would be ultimately laid before Parliament, for no one contemplates that any decision upon such subjects would be satisfactory unless Parliament were consulted.

We have heard to-night from the hon. Member for Pontefract (Mr. Monckton Milnes) a warning not to submit to a sacerdotal despotism. I entirely agree with the hon. Gentleman that no evil can perhaps be conceived for any country, but at all events none for a country like England, greater than to fall under a sacerdotal despotism, or that we should be at all interfered with in our free life by any priestly power. But it appears to me that the hon. Member for Pontefract has entirely misapprehended the question upon which he proposed an Amendment, and which one would think he did not resolve on until he had given sufficient consideration to the subject. Sir, my idea of a sacerdotal despotism, in the times in which we live, is not that the Inquisition will appear in this country, or that Archbishop Laud, in the form of the mild and benignant Metropolitan of Lambeth, may summon us again to a High Commission Court. But my idea of sacerdotal despotism is this, that a minister of the Church of England, who is appointed to expound doctrine, should deem that he has a right to invent doctrine. That, Sir, is the sacerdotal despotism I fear. And it appears to me, that if the course which has been recommended to our consideration to-night is adopted, in that false guise in which such propositions are sometimes exhibited in this House and out of it, we shall not be secure from arriving at such a goal. I warn the House, however improbable it may appear, from the seemingly innocent form in which these simple and enlightened propositions have been brought before us, that they are propositions in favour of the priesthood, and not of the laity; and the more their consequences are traced, the more plainly that will be found to be the inevitable result. No doubt there are men of genius among the clergy, fine writers, men of learning and imagination, who can easily picture to themselves what would be the consequence of the success of these endeavours. No doubt, the mere clergyman would soon become a prophet. No doubt, you would have many churches, and the abounding eloquence, the exquisite learning, the fine sentiments, and the admirable ingenuity, which pervade many of the publications which are put upon our tables, would produce consequences to the Church of England very different from what have proceeded from this reviled Act of Uniformity. But what I feel is this—if that course be pursued, I see no security for two hundred years of tranquillity and toleration. I see no security for two hundred years which have resolved as great a problem in spiritual life as you have in political. It is the boast of this country that in politics it has reconciled order with liberty. What in its religious affairs is a greater triumph is this — it has combined orthodoxy with toleration. What security have you for such great results if you pursue the course which is insidiously recommended to you now in so many ways and by so many changes? I prefer to stand upon the ancient ground. I see no reason whatever, why, if the occasion demands it, the temporal head of our Church should not call our attention to any necessary changes in our Articles and Liturgy. But though I see no reason, if the occasion requires it, why that should not be done, I can most sincerely say that hitherto no satisfactory case has been made out in favour of that course. I prefer to stand as we are—on a Church which lives in the historic conscience of the country, which comes down with the title deeds of its great Liturgy which we all can understand, because our fathers and our forefathers have contributed to its creation. Sir, I regret the course which we have taken to-night, although I trust, after this discussion, it will not be misunderstood, and that the country will feel that it is the determination of Parliament to stand in its spirit by the Church of England.

Mr. BUXTON said, he did not intend to divide the House after the expression of opinion which he had heard that evening, but he was glad to find that the Home Secretary and the Chancellor of the Exchequer acceded to the principle of his Motion. ["No, no!"] Those right hon. Gentlemen had admitted that there was an improvement required in reference to the subscription. He was anxious to say he had not intended to convey to the House that men of sensitive honour and enlightened mind were excluded from the Church by the subscription. All he had said was, that the subscription had such a tendency.

Sir GEORGE BOWYER said, he came down to the House intending not only not to vote on the question, but not to intrude himself on the House. He had sat in the House many years, but he had never taken any part in a discussion on the discipline or doctrine of the Church of England, and, while defending his own Church, he had never said a word offensive to any other person's Church or religious belief. On the present occasion he merely intended to refer to some observations of the right hon. Gentleman the Member for Buckinghamshire. That right hon. Gentleman had said that a Church must have a creed and must have formularies, and from that he deduced that a Church must have an Act of Uniformity. But he must say, that if he were now in the Anglican Church, as he once had been, he would not attach any value to an Act of Uniformity. His Church had not an Act of Uniformity, and he hoped it never would have one. Who founded the Church? Was it founded by Act of Parliament, or human authority? It was founded by our Lord, who said to his disciples, "Go and teach all nations, and I will be with you to the end of the world." But what did he mean them to teach? Did he mean them to teach the Act of Uniformity—or the Thirty-nine Articles? Did he tell them to preach a compromise, for a political purpose, for the purpose of comprehending as many different opinions and errors as possible? He had a right to say errors, because where there was diversity there must be error somewhere. He was told that the Church of England was comprehensive; that the object was to comprehend as many as possible who held different opinions; and that the right hon. Gentleman called catholic. His (Sir George Bowyer's) idea of catholic was not the comprehension of every sort of error, but that the Catholic Church was a Church that taught one truth, and said to the people, "If you do not believe in this truth—you are wrong." [*Laughter.*] Hon. Gentleman laughed; he could understand their laughter, it was because they did not understand the very foundation of the Church. He had derived a great deal of amusement from this debate, because he had heard a great deal said about historical associations and about policy and prudence, and what was desirable, but he had not heard one word about truth. He could understand Members of the Anglican Church saying, "You want to alter the Prayer Book and Articles, but those Articles and the Prayer Book are the truth, and if you alter them, you will be falling into error." He could understand that, though he should not agree with it; but he could not understand their saying, "We want to comprehend as many persons of different opinions as possible, and for reasons of prudence our formularies shall be altered." The right hon. Gentleman the Member for Buckinghamshire had said that there were differences and schisms in the Roman Catholic Church. He told the right hon. Gentleman that there were neither in that Church. There were differences of opinion in the Roman Catholic Church with regard to discipline and politics, but not with regard to doctrine. There were differences among Catholics as to the temporal power of the Pope, the celibacy of the clergy, and other questions, but they did not differ upon any question of dogma. As to the monastic orders, there were differences between the Dominicans and Franciscans on certain scholastic points of theology and science, but they were perfectly agreed on all questions appertaining to the Roman Catholic religion. That religion had always been one and undivided, and those who differed from it had always been ejected from it immediately. This was the only honest course—to say, "I preach the truth," and eject those who did not believe with you. But if men put on a false appearance of unity which did not exist, sheltering themselves under ambiguous words and uncertain formularies, that was not honest.

Whereupon *Previous Question*, "That that Question be now put,"—(*Sir George Grey*,)—put, and *negatived.*

THE BOARD OF ADMIRALTY.

SELECT COMMITTEE MOVED FOR.

MR. DALGLISH: Sir, I place myself in the hands of the House whether I should bring forward at such a late hour so important a question as that which stands in my name on the paper. [*Cheers, and cries of* "Go on!"] I have been told that as a supporter of the Government I should not bring forward any Motion which might prove disagreeable to them. It is true, that along with the great majority of the nation, I have supported the foreign policy of the noble Lord at the head of the Government. I have also approved and cordially supported the financial policy of the right hon. the Chancellor of the Exchequer, and I believe that I am giving on this occasion the best support to that policy. No Member of this House has more frequently called attention to the extravagance of our expenditure, or more strongly urged curtailment of that expenditure so as to bring it within our means, than the right hon. Gentleman the Chancellor of the Exchequer, and therefore I trust to have his support on this question. I have been told that it is not constitutional for this House to take any steps to reform any of the Government Departments, and that such reforms should be left entirely to the Executive. Sir, I entirely dissent from that theory. I hold the opinion, that so long as this House votes large sums of money to be expended on the different Departments of Government, we are bound to carefully satisfy ourselves that the machinery of these Departments is in good and effective order, and that the money voted is prudently and economically expended. The Admiralty has always been looked upon as one of the worst-organized of all our great public Departments. But however that may be, it is evident that we have nothing to look for in the way of reform of the Admiralty system from the present executive at Whitehall. The noble Duke has been at the head of that Department for four years, and I will venture to affirm that no improvement of the slightest importance has been effected during his tenure of office. The maladministration of the Board of Admiralty was never more forcibly brought before the House and the country than by the noble Lord (Lord Clarence Paget), now Secretary of the Admiralty. That speech, made when the noble Lord sat on the opposite side of the House, must still be in the recollection of many hon. Members—probably the noble Lord himself is the only individual who has forgotten it. [*Cheers, and a laugh.*] However, considering what then fell from the noble Lord on the subject, and how vigorously he attacked not only the inefficient management of the dockyards, the noble Lord will hardly allege now that there is no room for reform. Soon after that speech the present Government came into office. The Duke of Somerset, said to be a great administrator, was placed at the head of the Admiralty; the Government could not pass over the noble Lord after the famous speech to which I have adverted, and they appointed him Secretary to that Board. Admiralty reformers thought that at last they had got the right men in the right places. I need not say how entirely we have been disappointed. To prove that the First Lord and the Secretary were not themselves satisfied with the state of the Admiralty, I have only to call to the recollection of the House that in 1860 they appointed a Royal Commission for the purpose of examining and reporting upon the control and management of the dockyards. I shall not allude to the Report of that Commission; but I shall take a Report made by one of the Commissioners, Admiral Robinson, who had been appointed Controller of the Navy and left the Commission, and consequently was not a party to the Report made by the Commission. I may say with regard to Admiral Robinson that his appointment as Controller of the Navy is one of the best appointments, perhaps the very best, that could have been made, when we consider the small number of admirals from which the Admiralty authorities had to choose. The Report of Admiral Robinson, from which I quote, was sent to the Commission by Admiral Robinson, to show his views of what their Report should be. Admiral Robinson says—

> "Enough has been said as to the frequent changes which that Board [of Admiralty] has undergone and is always liable to, and as to the risk thereby incurred of want of unity and consistency of purpose in administering this branch of naval affairs. During the progress of this inquiry, it has been observed that the administration of the dockyards by successive Boards of Admiralty, constituted as at present, has produced the following result—1st. Caution, amounting to slowness, in following up inventions and improvements. 2nd. General efficiency in the performance of all the works undertaken by their direction, combined with great power of expansion when emergencies arose; but owing to causes already referred to, the efficiency has not been accompanied by foresight as to future requirements, nor by a thorough and searching examination as to the cost to be incurred. 3rd. The accounts of expenditure, though kept in great detail, and both numerous and complicated, have not been sufficiently and constantly examined and referred to, and, in consequence, carelessness in compiling them has followed, accompanied by inaccuracy in their results. 4th. The different departments in London have not been sufficiently consolidated, and consequently their co-operation has been imperfect, entailing needless correspondence and references, and in the end a practical irresponsibility. These remarks are entirely based on the evidence taken at the several dockyards, and also on such Parliamentary papers and Returns as have been laid before the Commission; and taking it for granted that the Board of Admiralty is to remain as at present constituted, the following are the suggestions recommended for adoption:—The department of the Storekeeper General of the Navy should be consolidated with that of the Controller, and the Controller's department should consist of four branches — 1st, Shipbuilding branch; 2nd, Engineer branch; 3rd, Store branch; 4th, Acccount branch. Each of these branches should be represented by a head or chief officer, responsible to the Controller; in other respects, the shipbuilding and engineer branches should remain on the same footing as at present, with such additional professional assistance as was contemplated by the Duke of Somerset's Memorandum of 6th February, 1860, already referred to."

I should be glad to know if Admiral Robinson, since his appointment, has been enabled to carry out any of these, as he then considered, necessary improvements in the management of the Admiralty. The Government, in 1861, consented to the appointment of a Committee of this House, moved for by the hon. and gallant Admiral (Admiral Duncombe) the Member for the East Riding, thereby acknowledging that the affairs of the Admiralty required investigation, and consequently were susceptible of improvement. That Committee sat during the greater portion of the Session of 1861, and took a mass of evidence contained in 630 pages of this blue-book. That Committee, however, was constituted in rather a peculiar manner. It was composed of three gentlemen who had filled the office of First Lord, two who had been Secretaries to the Admiralty, one Junior Lord of the Admiralty, a gentleman who is now a Junior Lord of the Admiralty, and one now Under Secretary in the Home Office. The witnesses they examined were principally ex-First Lords, gentlemen who were or had been members of the Board, and gallant officers of the service. But notwithstanding the amount of evidence taken by the Committee, this is their Report—

> "Have made progress in the matters to them referred, and have taken evidence on a portion of the subject, which they have agreed to report to the House."

That Committee took a great deal of valuable evidence as regards the Board of Admiralty; and I will take the liberty, with the permission of the House, to read the opinion given by the late Sir James Graham — an opinion which must have great weight on all subjects connected with the Admiralty. Before the Commission on the Control of the Navy, Sir James Graham stated in evidence that "the Board of Admiralty can only work by the First Lord exercising power to such an extent as really to render the Board subordinate to his will." Again, "that a Board only works well when the head of it makes it as unlike a Board as possible." Again, that "the First Lord is technically not a Minister of Marine, but virtually the system can never work unless he really be so."

"It appears to us that the power which under the existing system the First Lord is stated to assume, if he would perform his duty efficiently, should be conferred upon him by Act of Parliament."

"But in the theory of the Board of Admiralty the First Lord has no superiority?—None whatever; he is *inter pares;* he is one of six; and if it be worked in that manner, if it be a counting of noses, and he is to be outnumbered at his own Board, the whole system of the command of the navy, in my humble judgment, is subverted, and in time of war it could not work for an hour."

Before the Committee, Sir James gave the following opinion:—

"If that supremacy of authority be shaken either by recent discussions or by doubts arising in the public mind from an apparent equality in the patent, I did say, and I still think, that in time of war it would be impossible that the system could work, and in time of peace even I do not think it will work satisfactorily."

Another ex-First Lord, Sir John Pakington, gave the following evidence before the Committee:—

"Then, am I to understand you to be of opinion that the Board of Admiralty is more replete with inconveniences and disadvantages than any other great Department of the public service?—I should not quite like to answer the question in those very general terms. I do think so in that respect of its being administered by a Board, which, I think, as I have said before over and over again, is a bad arrangement for the purpose.

"As at present formed, it does not work favourably to the public service?—That is my opinion.

"In the late American war, in 1814, we kept our frigates at 1,100 or 1,200 tons, until the Americans built ships which we could not cope with. In 1852 we began adapting our line-of-battle ships to steam ships, after the French had made considerable progress; and latterly, after the subject of iron-clad ships had been completely settled, we delayed adopting that mode of defence until the French were very considerably ahead of us; is not that so?—Yes; we have in repeated instances been behind, where, as a great maritime country, we ought to have taken the lead; and I think it is perfectly fair to attribute these humiliating facts to the inherent weakness in the system of administering the affairs of the navy by a Board.

"Having in your own mind condemned the Board, it is, of course, necessary to substitute some other plan; but I understand that plan is not quite matured, in your opinion?—No; I should be very sorry to presume now to lay down, with anything like precision or detail, an alternative plan. I hold that this Committee is appointed to consider and inquire whether the present plan works well and satisfactorily or not. If the decision of the Committee, and afterwards of the Government, should be that the present system of Admiralty administration is capable of improvement, then, of course, will arise the anxious and difficult question of in what manner you will improve it? The outline in my mind is a responsible minister, with departments headed by men who might act as a council when advice is required."

If those gentlemen who had had experience as First Lords of the working of the Admiralty held such opinions of the inefficiency of the system, surely there is ample reason why the Executive, or this House, failing the Executive, should proceed without further loss of time to consider what improvement can be made in the Admiralty Department. Sir James Graham states that it would be sure to break down in time of war, and in time of peace he did not think it worked satisfactorily. Surely, now when we are at peace, it is the best time to amend, so as to render efficient, such an important Department. I may now refer to the state of the dockyards. I have recently visited three of the principal of these establishments; and judging from what I could see and learn as a private individual, and without authority, I have no hesitation in stating that no improvement has taken place in the management of these establishments since the visit of the Royal Commission in 1860. The whole system appears to be founded upon a false basis. At the head of each of the dockyards you have an admiral or a captain of the navy. No man can have a higher respect for that gallant profession than I have. I believe our naval officers to be admirable navigators, excellent disciplinarians, able negotiators—because, as Sir James Graham says, they obey orders—and brave officers when engaged in action. But with all their excellent qualities, and considering that the best years of their lives must have been spent in the study of their profession, and that they have attained that exellence and their high position after many years' service, I do not admit that they must therefore be eminently qualified for superintending the manufacturing establishments in our dockyards. Let us suppose the coachman of any hon. Member represented to him that the coachbuilders of London were ignorant of their trade, not to be trusted in the execution of their work, and incapable of turning out a good carriage—that his master should therefore set up coachbuilding for himself, and place him (the coachman) at its head. In a very short time the coachman superintendent finds that the ornamental lace-makers and the manufacturers of lining do not supply such articles as come up to his standard of excellence, and therefore a factory for that particular branch must be established. He finds that the glass and the leather are inferior, and he must establish tan works, and make his own glass. He finds that the iron for his springs do not stand the test which he considers necessary, and therefore he must go into the manufacture of iron. No one can deny the absurdity of such a scheme; no hon. Member would be so insane as to put it in practice. Yet such is our position in regard to the dockyards—and I, for one, should not be surprised if, within a very short time, we find the Admiralty coming down and asking for money to establish malleable iron works in connection with the dockyards, and ultimately proposing to become smelters of iron, and ultimately become iron makers. I shall now call the attention of the House to the state of timber in the dockyards, and upon this point I cannot do better than read the following extract from the evidence of Sir Charles Wood before the Committee of 1861:—

"In your answer to Question 2,683, you stated, if I mistake not, that, in your opinion, a store of timber of 65,988 loads was considered as satisfactory?—Those words are in the report of the Storekeeper General of that year, made to the Board; it is a quotation from that report, and I concur in it.

"Therefore, at the end of the Russian war, at the time when you left office, which was early in 1858, you regarded that a store of 66,000 loads was an ample store?—The old understanding of the Admiralty was, that there should be two years' consumption on hand at the end of the year; of course, the demand depends upon the amount of building to be executed. The consumption of timber in two years, and those the two years of war, exceeded 30,000 loads per annum; the average before the war was a little above 20,000 loads; the consumption in the year 1853, in preparation for the war, was only 20,289 loads; and therefore a stock more than twice the consumption in the war, and more than three times the consumption of the year in preparation for the war was, I think, a very adequate store.

"Owing to the foresight of the Duke of Northumberland and Sir Francis Baring, whom I succeeded, aided by Sir Baldwin Walker, I was enabled, in 1854 and 1855, to launch and convert fourteen sail of the line. In the years 1853 and 1854 there were launched and converted fourteen sail of the line.

"And after that large amount of building and consumption of timber, followed by your own exertions with regard to gunboats and smaller vessels, upon leaving the Admiralty you thought 66,000 loads an ample provision?—It was the largest stock that had existed for a long time.

"You regarded 66,000 loads of timber, on leaving the Admiralty, after the large consumption of the antecedent years, as an ample store?—That was the report of the Storekeeper General, who is a very experienced officer, and I certainly saw no reason to doubt it."

The House will observe, that even when we were consuming 30,000 loads of timber per annum, 66,000 loads were considered an ample store of timber. Now, with a very much reduced consumption—in fact, with wooden shipbuilding put a stop to, with the exception of vessels altering for cupola ships, and in which alteration no great amount of timber is expended, we have now a stock of 112,000 loads, which, at the rate of consumption for the last two years, will be at least equal to seven years' consumption. And I would beg to call the attention of the House to the fact that this monstrous accumulation of timber has taken place while the attention of the Admiralty, since 1859, has been turned nearly altogether to the construction of iron ships of war. I do not think it possible to find a parallel case of such total want of foresight as has been displayed by the Admiralty in this matter; and the result is, that when every scientific man, and when the owners of ships for mercantile purposes, have been convinced for years that iron is the only material which can be used in the construction of vessels to be propelled by screws, the Government, having learned by sad experience that their large and heavy wooden ships with screws, driven by powerful engines, were a total failure for all practical purposes, in so far that they could not exert even a moiety of their power in a heavy sea or against a moderate head wind without the risk of shaking their sterns so as to open their seams and render them unsailable—yet, with all this experience, Government proposed to construct new and heavy ships of wood, to be driven by powerful engines and to be covered with armour plates, adding 600 to 900 tons to their weight, and consequently rendering them so much more liable to the injurious results I have just described. It is even said that Mr. Reed has been appointed chief constructor of the navy for the purpose of carrying out the views of the Admiralty in the construction of wooden ships; and that Mr. Watts, the late constructor of the navy, and other scientific men connected with that department of the Admiralty, have given it as their opinion that only iron should be used in the construction of vessels of war to be coated with armour-plates, and that the construction of wooden vessels for that purpose should be entirely abandoned. This will be a subject of inquiry for the Committee. The Admiralty have seen fit to lay on the table of this House a statement relating to the advantages of iron and wood in construction. This statement contains grave and serious charges against the private shipbuilders of this country. The Committee will be able to investigate into these charges, and report to the House whether they are true in whole or in part. I have no doubt the appointment of this Committee will be opposed on the ground that it is too late in the Session for any progress to be made in such an inquiry. Now, I hold that it is most important that the Committee should be appointed this Session, because, even if no progress is made, the Members of the Committee will have an opportunity of studying, during the recess, the evidence taken before the Committee of 1861, and before the Commission of 1860. I shall be told that there would be a difficulty in getting Members to serve on the Committee. I do not for a moment doubt, that if independent Members are appointed to serve, they will fulfil their duty in a matter of such vital importance to the country ; and I do trust, that if the Committee be granted, the Government will permit the nomination of a Committee of really independent Members, pledged to no extreme views, but anxious to fulfil their duty. The noble Lord has already granted a Committee on the promotion of officers in the navy. If this Committee at all fulfils the expectations of its promoters, it can only end in a demand upon the country to provide a large sum for the increase of pay of the officers. It therefore renders it all the more necessary that the Committee for which I move should be granted, because it will have for its object to render the management of that great Department more efficient, and bring under better control the enormous expenditure, and consequently to produce economy and save the public money. I beg to move the appointment of the Committee.

MR. JACKSON said, he rose to second the Motion. He would remind the House that in 1859, when parties occupied different sides, the noble Lord the Secretary of the Admiralty made a speech which astonished the House and the country, and he gave notice of a Motion for a Committee. When the day appointed for that Motion arrived, a change of Government had taken place, and the noble Lord was comfortably seated upon the Treasury bench. An appeal was made to the noble Lord, whether he intended to proceed with the Motion for a Committee, and the result was that a Commission was appointed. A Report was made, and he wanted the noble Lord to state how far in office he had carried out the promises he made when he was out of office.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into the constitution of the Board of Admiralty, and into the different departments under the control of that Board."—(*Mr. Dalglish.*)

MR. SCOURFIELD said, he wished to express a hope that at that period of the Session the appointment of a Committee would not be pressed. Committees, if not of use, did harm. They occasioned expense, and, while they continued to sit, diverted the attention of the officers of the Department from their proper duties, and paralysed the wish of that Department to carry any reform into effect. Besides, some of the questions that would be referred to the proposed Committee, such as the constitution of the Board of Admiralty, were beyond the jurisdiction of any Committee. Such a subject could only be properly treated by Resolution moved in the House.

MR. BENTINCK said, that although he was a Member of the Committee which sat in 1861, he must oppose the Motion of his hon. Friend for another Committee, as he thought the hon. Gentleman was over sanguine in the results he expected from it. It would only end in waste of time, or prove a mere farce. The evidence, as taken before the Committee of 1861 consisted principally of self-laudatory speeches from ex-First Lords of the Admiralty, and he saw no reason to hope for a different result from the tribunal which the hon Member wished now to see appointed. Did his hon. Friend expect that men would be appointed without preconceived opinions on the question? The fact was, the officials on both sides were united in upholding the present system. On one point he agreed with his hon. Friend—a change was wanted, but he differed as to how that change was to be brought about. The present system was replete with extravagance and mismanagement. But the House, not a Committee, must deal with it. The first fault was to put civilians in places where they were utterly unacquainted with the business they had to transact, and the Admiralty must necessarily be nothing but a political jobbing office. It was dependent on the control and caprice of Parliament, and all their operations must be conducted, not for the benefit of the service, but with a view to the exigencies of the party in office. He objected to building, as his hon. Friend proposed, ships of war exclusively in private yards rather than in Her Majesty's dockyards. For the hon. Gentleman to press his Motion at that period of the Session would injure rather than serve the object he had in view.

Lord CLARENCE PAGET: Sir, in opposing this Motion on the part of the Government, as I feel it my duty to do, I must protest against its being assumed that we shrink from inquiry into the Admiralty, or into any of the departments under it. The House is aware that we have already had three inquiries instituted into various branches of the navy, and more particularly with regard to the constitution of the Board of Admiralty no opposition has been offered on the part of the Government to full and fair inquiry. If the Committee on that subject had reported that everything connected with the Admiralty was perfect, I could have understood the hon. Member for Norfolk (Mr. Bentinck) saying he foretold that the Committee would do nothing but praise everything that was done by the Government, and deprecate any change. But that Committee, so to speak, made no report. Having had many conversations with Members of that Committee, my honest belief is that the reason for that was, that they did not discover any radical errors in the administration of naval affairs which called for the interference of this House. But, at all events, they simply reported the evidence they had taken. Many gentlemen entirely independent of the Admiralty were called as witnesses, and I am bound to say they gave their evidence most frankly, and did not scruple for a moment to criticize the Admiralty wherever they saw defects in it. I own I am extremely glad that that Committee was appointed, because, like many other people, I had my ideas as to the possible amelioration of the constitution of that Department; but I must say the upshot and balance of the evidence certainly was, that although there were defects in the Admiralty, yet those defects were not of that grave nature which made it desirable that there should be any material alteration in the patent of its constitution. The evidence of Sir James Graham — a very high authority indeed—has been referred to. Now, nothing is so fallacious as partial quotations of evidence; at this hour I am not going to trouble the House with long quotations, and I deeply regret that this debate should have come on at so late an hour of the night, because a most important subject like this cannot be satisfactorily treated under such circumstances. As the evidence of Sir James Graham has however been cited, I will once, and only once, refer to it in connection with the constitution of the Admiralty. He was asked by the chairman of the Committe whether he thought the First Lord of the Admiralty was more or less responsible for the whole conduct of the Navy than the Secretary of State for War now was for the whole conduct of the Army, and he replied that he thought the First Lord stood to the public as respected responsibility upon the same footing as the Secretary of State for War; that until the change lately introduced into the administration of the Army, the First Lord of the Admiralty was infinitely more responsible even than that; and that, from the time of the Revolution downwards, the responsibility as regarded the Navy was virtually vested in the First Lord. Nobody who studied the evidence of Sir James Graham, and other witnesses who had filled the office of First Lord—nobody, with the exception of the right hon. Member for Droitwich, would doubt that that Minister was wholly and entirely responsible for the government of the navy. The right hon. Gentleman opposite (Sir John Pakington) did not take that view; and I was extremely interested in his examination of Sir James Graham and other witnesses. The Duke of Somerset was examined by him at great length, and both the noble Duke and Sir James Graham showed that there were very grave constitutional reasons why it would not be advisable to vest by patent the sole responsibility for the Government of the Navy in the First Lord. Sir James Graham, whose evidence on this point had a great effect on the judgment of the Committee, stated that there was a distinction between the Army and Navy—that the Queen retained her control and authority over the Army, but delegated her power over the Navy to the Admiralty; and I must say, and moreover I suspect the Committee were of opinion, that it would be a matter of very grave consideration whether, seeing the whole and sole authority over the Navy was vested in that Department, it should be placed upon the shoulders of one individual. We know that the First Lord is responsible for the promotions and appointments of officers of the Navy; but we know likewise that his naval advisers have the power, if they choose to use it, of checking his appointments and promotions.

I come now to the question of the dockyards, upon which the hon. Gentleman's Motion seems to be founded. The hon. Member for Glasgow is a great authority on that subject, but let us see what the Duke of Somerset thinks of the recommendations of the Commissioners of the Dockyards. In reply to a question from Sir Henry Willoughby, one of the Commissioners, his Grace's evidence was to the effect that he did not concur in the opinion that the Board of Admiralty was not capable of governing the dockyards; that the Admiralty must be dealt with as a whole, and that it would be unadvisable and mischievous to divide it into a Civil and a Military Department, or, in other words, to separate the duties of building, fitting out, and repairing of ships from the commissioning of ships and the distribution of the naval forces of the country. At the time when the Commission was appointed, there was a want of responsibility with respect to the shipbuilding business in the dockyards; that, indeed, was the strong point of the Commission; but mark what the Duke of Somerset has done. The first thing he did was to review the position of the Controller of the Navy, who had no power in the dockyards at all, because the orders did not proceed from him. That has been wholly rectified, and now the Controller of the Navy has placed upon him the entire responsibility of the dockyards under the Admiralty. He gives the orders and therefore is accountable. So far the recommendations of the Commissioners have been carried out, but on some points it was impossible to act upon their suggestions. They proposed, for instance, that the Controller of the Navy should be placed over the Storekeeper General and the Director of Works. I say it would not have been wise to adopt that recommendation. Our object is that the Storekeeper General should be an independent officer, checking the supply of stores and timber to the Controller of the Navy. The Director of Works is the person who constructs the barracks for the marines and all the great buildings connected with the dockyards. Would it be advisable to put either of those officers under the Controller of the Navy? So with respect to the Superintendents. It had been said with a sneer that naval officers are not qualified to discharge the duties of superintendents. The hon. Member for Glasgow ought to know, and does know, something of the business of our dockyards; but when he made that statement, he betrayed a lamentable and surprising ignorance. Why, shipbuilding forms only a small branch of the business of the superintendents, who have also to attend to the rigging and fitting of vessels, the accommodation of officers and others, the guns, and a variety of other matters which a civilian could know nothing about. The same observation applies with equal force to the Controller of the Navy, who, it has likewise been said, should not be a naval officer. Among the recommendations of the Commissioners one was to the effect that the dockyards should be disfranchised. I hope the House will think that we did right when we declined to carry out that proposal. The patronage of the Government in the dockyards is really very small, and the promotion mostly by competition; and the present Admiralty, at all events, have received little assistance in electioneering matters from that quarter. We have consequently little or nothing at stake in the matter, but we could not think it our duty to propose the disfranchisement of all the dockyards in the country. Other recommendations of the Commissioners are in course of being carried out. The shipbuilding accounts, for example, are in process of being reduced to a clear and simple form, in which they would be easily intelligible; and, for the future, they will be subjected to an independent audit. But we have besides done, and are doing, many things which the Commission did not recommnnd. I wish I had time to recount some of them to the House. We have never considered ourselves perfect; on the contrary, we have seen that considerable defects existed, and already we have introduced reforms into various branches of that Department. In one part of his speech the hon. Member for Glasgow let the cat out of the bag as to the real object of his present Motion. Among the great iron shipbuilding firms there exists, no doubt, a good deal of dissatisfaction with the Admiralty. I can understand that the hon. Member has been pressed on by his friends in Glasgow, who find fault with the Admiralty for not giving any large contracts for iron ships during the present year. There may be strong arguments in favour of building iron ships by contract; but I maintain the Government have done wisely in not embarking in any vast expenditure at a time when they do not know what the best construction is. It is well we should pause until we have given a fair trial to the iron ships we already possess; but I can assure the hon. Member, that though we have thought fit to introduce a certain amount of iron shipbuilding into our dockyards, we do not intend to abandon altogether the building of iron vessels in private yards. A few words more, and I have done. I submit that these general attacks on a public Department, unaccompanied by specific charges, are unfair, and tend to damage the due and efficient working of its duties. I do not say that there are no defects in the constitution of the Admiralty, but, on the whole, it has worked well. Let the hon. Gentleman bring specific charges, and I will be prepared to answer them. The experience which we had in the beginning of the past year was sufficient, I think, to show that at a time of great emergency the Admiralty is equal to its duties. For these reasons I must oppose the Motion of my hon. Friend.

Sir HENRY WILLOUGHBY moved the adjournment of the Debate.

Lord CLARENCE PAGET said, he would appeal to the hon. Baronet to allow the Debate to proceed.

Mr. CONINGHAM said, he wished to inquire when it was the intention of the noble Lord at the head of the Government to make a statement with respect to Greenwich Hospital?

Lord CLARENCE PAGET said, that he was not aware that it was the intention of the noble Lord to make any such statement as that alluded to; an hon. Member had given notice of a Motion on the subject of Greenwich Hospital, and he (Lord Clarence Paget) was very anxious that it should be brought on for discussion.

Debate *adjourned* till *Thursday.*

SHEEP AND CATTLE (SCOTLAND) BILL.

[BILL 115.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 and 2 *agreed to.*

Clause 3 *struck out.*

Lord Clarence Paget

New Clause.

Sir GEORGE GREY said, he objected to proceeding further with the Bill, and should move that the Chairman report progress.

Sir MICHAEL SHAW STEWART said, that the Bill was a copy of an Act which passed last year with regard to Ireland, and he was not responsible for the objectionable clause.

Sir ANDREW AGNEW said, he was the author of the clause; and if it were objected to, he would withdraw it.

Sir GEORGE GREY said, he would suggest that proposed Amendments, to make the Bill applicable to England, should be printed.

Motion, by leave, *withdrawn.*

House *resumed.*

Bill *reported;* as amended, to be considered on *Monday* next.

SUPPLY.—REPORT.

Resolutions (June 5) *reported.*

Motion made, and Question proposed, "That the said Resolutions be now read a second time."

Sir JAMES ELPHINSTONE said, he wished to draw attention to one fact connected with the Vote for Alderney. It was strange, that though defended by the Secretary to the Admiralty, by the Secretary to the Treasury, and the First Lord of the Treasury, the Vote had not been defended by the hon. Gentleman the Junior Lord of the Admiralty, in whose Department it was. He moved the adjournment of the Debate.

Lord CLARENCE PAGET said, the expenditure was no more in the Department of the Junior Lord of the Admiralty than any other branch of the business.

Motion made, and Question, "That the Debate be now adjourned,"—(*Sir James Elphinstone,*)—put, and *agreed to.*

Debate *adjourned* till *To-morrow.*

MISAPPROPRIATION BY SERVANTS BILL.

On Motion of Mr. Staniland, Bill to amend the Law in certain cases of Misappropriation by Servants of the Property of their Masters, *ordered* to be brought in by Mr. Staniland, Sir Montague Cholmeley, and Colonel Pennant.

Bill *presented,* and read 1°. [Bill 156.]

POSTMASTER GENERAL (SALE OF LAND) BILL.

On Motion of Mr. PEEL, Bill to enable Her Majesty's Postmaster General to sell and otherwise dispose of Land; and for other purposes, *ordered* to be brought in by Mr. PEEL and Sir WILLIAM DUNBAR.

CASUAL POOR (METROPOLIS) BILL.

On Motion of Viscount RAYNHAM, Bill to provide proper and sufficient accommodation for the Casual Poor in the Metropolis, *ordered* to be brought in by Viscount RAYNHAM, Sir STAFFORD NORTHCOTE, and Mr. WYKEHAM MARTIN.

Bill *presented,* and read 1°. [Bill 155.]

House adjourned at a quarter before Two o'clock.

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HOUSE OF COMMONS,

Wednesday, June 10, 1863.

MINUTES.]—PUBLIC BILLS—*Second Reading* Election Petitions [Bill 124].

Committee—Innkeepers' Liability (No. 1) [Mr. Wykeham Martin] [Bill 18]; Savings Banks Acts Amendment [Sir Henry Willoughby] [Bill 80]; Metropolis Turnpike Road Acts Amendment [Bill 131], *on re-committal*; Officers of Royal Naval Reserve* [Bill 142], *on re-committal.*

Report — Innkeepers' Liability (No. 1) [Mr. Wykeham Martin] [Bill 157]; Savings Banks Acts Amendment [Sir Henry Willoughby] [Bill 158]; Metropolis Turnpike Roads Acts Amendment; Officers of Royal Naval Reserve*.

Third Reading — Local Government Supplemental * [Bill 165], and *passed;* Dockyards Protection Act Amendment (*Lords*)* [Bill 130], and *passed.*

INNKEEPERS' LIABILITY (No. 1) BILL

[MR. WYKEHAM MARTIN]—[BILL 18.]

COMMITTEE.

Order for Committee read.

SIR FRANCIS GOLDSMID said, he had objected to the Bill on the second reading, because he believed that it was not calculated to cure the evil that was complained of. The House did not take the same view, and the Bill was read a second time. Since then, however, the defects which he had pointed out in the Bill had been recognised by the promoters of the measure, and they had placed numerous Amendments on the paper for Committee, which entirely altered its character, and made it a new Bill in fact. He should therefore offer no further opposition to the Bill.

MR. PACKE said, he had seconded the Motion for rejecting the Bill on the second reading; but as his objections had been in the main removed by the Amendments which were to be made in Committee, he should not offer any further opposition to the Bill.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Responsibility of Innkeepers).

MR. HUNT said, he wished to move an Amendment to the clause, by leaving out from the word " shall, " in line 14, to the end of the clause, for the purpose of providing that—

> " No innkeeper after the passing of this Act shall be liable to make good to any guest of such innkeeper, any loss of, or injury to goods or property brought to his inn, not being a horse or other live animal, or any gear appertaining thereto, or any carriage, to a greater amount than the sum of £30, except in the following cases; that is to say, where such goods or property shall have been stolen, lost, or injured through the wilful default or neglect of such innkeeper, or any servant in his employ; where such goods or property shall have been deposited expressly for safe custody with such innkeeper, or his servant authorized by him for that purpose: Provided always, that in the case of such deposit it shall be lawful for such innkeeper, if he think fit, to require, as a condition of his liability, that such goods or property shall be deposited in a box or other receptacle, and that the person depositing the same shall affix his seal to the fastening thereof."

SIR GEORGE GREY remarked that the Amendment was so complete an alteration as to amount to a new clause, and it had better be brought up as such.

Clause *negatived.*

Remaining Clauses *agreed to.*

MR. HUNT said, he would then propose his new Clause.

MR. ROEBUCK moved the addition of a proviso, to the effect that it shall be incumbent on the guest to prove that the property was in his possession in the inn. He made that suggestion with a view to disappoint the swindlers who were going about the London hotels making claims on landlords for the loss of property which they had never possessed.

MR. HEYGATE said, that as an instance of the arbitrary state of the existing law, he might mention a case where a person went to an inn and deposited a portmanteau in the stable. That portmanteau was rifled of its contents, and a claim made for £130, although the owner could not tell what the portmanteau contained.

Mr. LOCKE said, he could not understand the meaning of the guest having possession. He could understand the innkeeper having possession.

Sir GEORGE GREY said, he thought the proviso would be unnecessary, because, before a person could recover, he must prove possession.

Proviso, by leave, *withdrawn.*

Clause *agreed to.*

Mr. WYKEHAM MARTIN moved the addition of the two following clauses:—

1. "If any innkeeper shall refuse to receive for safe custody, as before mentioned, any goods or property of his guest, or if any such guest shall, through any default of such innkeeper, be unable to deposit such goods or property, as aforesaid, he shall not be entitled to the benefit of this Act, in respect of such goods or property."

2. "Every innkeeper shall cause to be printed in plain type the first section of this Act, and shall cause at least one copy thereof to be exhibited in a conspicuous part of the hall or entrance to his inn, and he shall be entitled to the benefit of this Act in respect of such goods or property only as shall be brought to his inn while such copy shall be so exhibited; and he shall also append to such copy a notice in writing, signed by himself, containing the name of the servant (if any) authorized by him to receive goods and property for safe custody."

Clauses *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered on *Friday,* and to be *printed.* [Bill 157.]

SAVINGS BANKS ACTS AMENDMENT BILL [Sir Henry Willoughby].

[Bill 80.] COMMITTEE.

Order for Committee read.

Sir HENRY WILLOUGHBY said, it might be convenient to the House to state that the Bill was simply a consolidation of eight Acts or parts of Acts now in force in regard to these institutions. The Bill had no reference to the Post Office savings banks, nor would it disturb the handling of the savings banks monies when they had passed into the custody of the Commissioners. For many years the gentlemen engaged in the management of those banks had expressed a wish to have a single Act on the subject, to which they might be able to refer without the inconvenience to which, under the present system, they were put; and a Committee which sat in 1858 had unanimously reported in favour of some such amendment of the law. Mr. Tidd Pratt, he might had, a gentleman of great experience as to the working of savings banks, had certified on a copy of the Bill that, with the addition of those Amendments of which notice had been given, it would constitute a fair and just measure of improvement.

The CHANCELLOR of the EXCHEQUER admitted that there was no matte of any great difficulty in the Bill, though the object was one of great importance, and one in which the House ought not to take any step without circumspection, full notice, and publicity. The hon. Baronet, the hon Member for the Tower Hamlets (Mr. Ayrton), and others who assisted in drawing up the Bill, had in view an object useful and advantageous to the public, and had performed their task in a manner which seemed to be effectual, and which was highly creditable to themselves. It had been his duty, and the duty of those who were connected with the finances of savings banks, at the National Debt Office, to examine the provisions of the Bill; and he had made known to the hon. Baronet certain points on which, in furtherance of the main purpose of the measure, it was their desire to introduce Amendments. Some of these Amendments, which had reference to the financial working of the Bill, the hon. Baronet had frankly adopted, and others were rather of a verbal character; but as he had had no opportunity of giving notice of the alterations he should wish to propose, he must defer bringing them forward till the Report.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 4, inclusive, *agreed to.*

Clause 5 (Titles to be assumed by Savings Banks).

The CHANCELLOR of the EXCHEQUER suggested that words should be introduced to exempt the Post Office savings banks from the obligation of enrolling themselves by the prescribed titles.

Mr. AYRTON said, the exemption was unnecessary, as the Bill did not include the Post Office savings banks at all.

Clause *agreed to.*

Clause 6 (Attendance of Trustees or Officers).

Mr. CRUM-EWING said, he would move an Amendment which would raise the question whether it should be obligatory on trustees to be present when business was transacted.

After long debate, Amendment *withdrawn.*

Clauses 7 to 62, inclusive, *agreed to.*

Clauses 63, 64, 65, and 66 *struck out.*

Remaining Clauses *agreed to.*

MR. HIBBERT proposed to insert, after Clause 37, a clause providing that the manager of any savings bank might, on an application in writing from any depositor therein who had effected a policy of assurance with any society within the United Kindgom, pay the premiums thereon to such society.

SIR HENRY WILLOUGHBY said, he must oppose the introduction of the clause. It imposed upon the directors of savings banks duties which probably they might not be willing to discharge.

MR. AYRTON said, the clause had been so recently placed on the paper that managers had not had time to consider its probable operation.

THE CHANCELLOR OF THE EXCHEQUER said, he thought the clause opened up a question which went far beyond its apparent object, and which required very careful consideration.

Clause, by leave, *withdrawn.*

House *resumed.*

Bill *reported;* as amended, to be considered on *Wednesday* next, and to be *printed.* [Bill 158.]

ELECTION PETITIONS BILL.

[BILL 124.] SECOND READING.

Order for Second Reading read.

MR. HUNT, in moving the second reading of this Bill, said, that the measure would deal with a very difficult subject, and he was sure that its details would be found to require many Amendments; but he hoped he should be able to convince the House of the expediency of affirming the general principle upon which it was founded. That principle was that no Petition against the return of a Member should in future be allowed to be withdrawn without a disclosure before a Standing Committee of the House of the circumstances under which the Petition in question was presented and withdrawn. He did not propose that petitioners should be forced to proceed against their will, but merely that the House should be in possession of the reasons for presenting in the first instance, and afterwards withdrawing those Petitions. Much of the inconvenience of the existing system arose from the tendency exhibited in the House of late years to treat Petitions entirely as questions between party and party, and as matters of no public importance. But from the Report of a Committee of Privileges appointed in 1623-4, and embracing the names of some of the highest authorities on constitutional law at that day, it appeared that the petitioners against an election of knights of the shire for the county of Middlesex being afterwards desirous of withdrawing that Petition, it was moved and debated whether the Committee ought not to proceed to an investigation of the circumstances notwithstanding that withdrawal. It was held clearly that—

> "The House of Commons ought not to be concluded by the act of the parties in not prosecuting their complaint, which perhaps might operate, by some underhand combination, to the prejudice of the whole kingdom, which hath an interest in the election of every Member of Parliament."

He was of opinion that an Election Petition complaining of an undue return was a public matter, and ought not to be treated as a civil suit. In an election carried by corrupt means the public was wronged as well as the defeated candidate, for the views of the unbought majority of the electors were set at naught, and great scandals arose from the allegation that Members had been returned, and that legislation was carried on, through the instrumentality of corrupt agency. Frivolous Petitions affected the Legislature almost as injuriously, besides imposing additional labour upon the general body of Members, the gentleman petitioned against being disqualified from sitting upon particular Committees. The present Bill was intended to prevent Petitions from being presented with the object of extorting money, of coercing the sitting Member into some compact relating to a future election, or for the purpose of being paired off against some other Petition. He had heard hon. Members deny in private conversation that sham Petitions were presented; but practically there could be no doubt that great abuses arose from Petitions getting into the hands of central agents. Petitions were, in fact, presented to keep the balance even. The abuse prevailed as much on one side as the other, and he felt considerable sympathy for the hon. Member for Sandwich (Mr. Knatchbull-Hugessen), who complained to his constituents, when he went down to them for re-election after taking office, that there was a Petition already hanging over his head which was frivolous and vexatious, and which was ultimately withdrawn. Some interesting evidence was taken on this subject by the Committee appointed to inquire into the working of the Corrupt Pratices Act in 1854. Mr. Phinn, a gentleman who was formerly a Member of that House, and who had considerable practice before Election Committees, stated to the Committee that the agents presented Petitions as people dealt a pack of cards; as fast as one side dealt a Petition, the other side dealt another Petition. He also stated that his experience taught him that Petitions were constantly presented with the view of putting money into people's pockets; and he added that he thought no Petition should be withdrawn without the leave of the House obtained after a due inquiry into all the circumstances. Sir Frederick Slade, a gentleman of equal, if not of even greater, experience, declared before the same Committee that sham Petitions were often got up against a Member for the purpose of extracting a thousand pounds out of his pocket. Another gentleman, of perhaps still more extensive experience, but one who was usually supposed to have "left his country for his country's good"—namely, Mr. Edwin James, told the Committee that he had known as many as eighty Petitions presented after a general election, although it was never intended that five of them should be seriously proceeded with. Mr. James suggested that the parties petitioning should be responsible for costs. He hoped he had now satisfied the House that sham Petitions were got up for the sake of costs, and for the purpose of carrying on the war against *bonâ fide* Petitions. There were some of these abuses for which he confessed he could find no remedy. It seemed to him to be impossible to provide that in any case a Petitioner should be forced to go on with a Petition against his will. But he thought, that when a man stated his desire to withdraw a Petition, they might fairly call upon him to state the altered circumstances which had arisen since he had first presented it. Another abuse he wished to remedy was that in which a Petition was presented upon good grounds, while a corrupt bargain was afterwards made for its withdrawal. That was an occasion in which the House ought to show no mercy, and ought to subject the Petitioner to any loss that could reasonably be imposed upon him. Having thus stated the general principles which had influenced him in preparing the measure, he would next proceed to point out its leading provisions. He would propose that at the commencement of every Session a small standing Committee should be appointed by the General Committee of Elections, to be called the Election Petitions Withdrawal Committee. When parties wished to withdraw an Election Petition, they should give notice to the Speaker, who should refer the subject to the latter Committee. If the Committee found that the Petition was frivolous and vexatious, the Petitioners should be liable to pay the sitting Member the costs to which he had been put, and also, if they so determined, the cost of the proceedings before the Committee. If, on the other hand, *bonâ fide* reasons for the withdrawal could be made out, no ill consequences would follow, and after a certain interval the Petition might be withdrawn without more ado. If, however, the Committee found that any corrupt bargain had been made as to the withdrawal of the Petition, then the whole of the recognizance of £1,000, or such part thereof as the Committee might determine, should be forfeited, and any portion of the sum not required to meet the expenses of the inquiry before the Standing Committee should be paid as a fine into the Exchequer. It might be said that his Bill would throw additional costs on Petitioners, and thereby prevent them from coming forward and exposing corrupt practices. He contended, however, that the measure would not discourage any *bonâ fide* Petition, but that it would prevent frivolous and vexatious Petitions, which was what he wished to do. The measure was, no doubt, capable of improvement in Committee, but he trusted that the House would read it a second time, and assist him in making the Bill more perfect in Committee. The hon. Member concluded by moving that the Bill be now read a second time.

MR. COX said, he cordially supported the second reading of the Bill, although he could not pledge himself to an approval of all its details. There were three classes of election Petitions. There were, first, the *bonâ fide* Petitions of persons who believed that corruption or intimidation had taken place. There were, secondly, frivolous and vexatious Petitions, which were presented simply as a set-off against Petitions from the opposite party. There were, in the third place, extortionate Petitions, which, without the slightest foundation, were presented with the single purpose of extracting money from the sitting Member, by allegations of intimidation, bribery, and treating. In the year 1857 he had himself suffered from the presentation of one of the last class of Petitions. The borough of Finsbury was large enough and expensive enough to contest in a legitimate manner, without an expenditure of money in bribery and corruption. But in the year 1857 a Petition was presented against his return, charging him and his agents with nearly every crime which could invalidate an election. That Petition, he should confess, had caused him considerable uneasiness, and he had gone about anxiously inquiring whether his agents might not, in disobedience of his instructions, have done something which would disqualify him from sitting in Parliament. But he could find no indication of any such offence; and within twenty-four hours of the striking of the Committee he was waited on by a person supposed to be moving in a respectable sphere of life, but who had since made the acquaintance of one of the Commissioners in Basinghall Street. That person assumed to be the leader of the party presenting the Petition, and assured him (Mr. Cox), that if he would pay him and the other petitioners the sum of £500, the Speaker should receive a letter announcing that the Petition was withdrawn. Knowing that he had not been guilty of any one of the things laid to his charge, he indignantly refused; yet the Speaker, nevertheless, had the honour of receiving the letter withdrawing the Petition. He agreed with the hon. Member who brought in the Bill that there ought to be some tribunal appointed by the House to inquire under what circumstances Election Petitions were presented and withdrawn.

MR. COLLINS said, he agreed in the doctrine laid down in the preamble of the Bill, that all costs incurred by a sitting Member in consequence of a Petition which was not proceeded with ought to be paid by the petitioner; and as he adopted that principle, he should vote for the second reading of the measure, although there was hardly one of its clauses to which he could give an unqualified approval. He concurred in thinking that something must be done to stop the presentation of sham Petitions, although he believed that more *bonâ fide* Petitions than sham ones were withdrawn. He believed, that if Committees were more strict in visiting frivolous and vexatious petitions with costs, and in making the costs follow the suit, as in the courts of law, fewer sham Petitions would be got up. He feared, that if the Bill passed in its then shape, the expenses of sitting Members would be increased rather than diminished. It was said that an Election Petition was a public matter, and not a private suit. If that were so, the House, when a *bonâ fide* case was made out, ought to defray the cost out of a public fund. If, on the other hand, an Election Petition remained a private suit between parties, it would be impossible to prevent compromises. A paragraph was going the round of the papers, in which it was stated that the Petition against the return for Reigate had been withdrawn, in consequence of an arrangement by which the sitting Member agreed not to contest the next election. He did not believe that any provision in the Bill would prevent corrupt bargains of that nature being made.

MR. E. P. BOUVERIE said, he felt bound to demur to the new view laid down by the hon. Member who had just sat down—that if he approved the preamble of a Bill, it was his duty to vote for the second reading. It was, as he conceived, the duty of the House, on the contrary, to see if the Bill effectually carried out the object which the preamble asserted to be worthy of the consideration of Parliament; and if it did not, to reject it on the second reading. The House was, he thought, greatly indebted to the hon. Member (Mr. Hunt) for bringing in the Bill. There were two distinct matters with which the House had to deal—the presentation of a great number of Petitions that were never intended to be prosecuted, and the withdrawal of Petitions that ought to be proceeded with, in consequence of bargains made outside the House. In the first class of Petitions conscious virtue on the part of the sitting Member was of no use. An election was said to be like a horse, for there was no such thing as a sound one. It was alleged that at every election something was done by an ardent partisan or committeeman which, if known and proved, would invalidate it. Sitting Members when petitioned against fancied that there must be some tremendous case behind, and they were therefore kept in a state of anxiety and annoyance. The Grenville Act, upon which the present practice of the House was founded, made no provision for the costs of frivolous and vexatious Petitions. That provision was introduced eighteen or twenty years afterwards by Lord Grenville, and it was accompanied by a clause prohibiting the withdrawal of any Petition. Lord Grenville hoped that the costs of frivolous and vexatious Petitions would be a security that none but *bonâ fide* Petitions would be presented. That was the law up to the year 1838. Under ordinary circumstances, although a Committee might find that a Member petitioned against was entitled to keep his seat, yet they also found a certain number of suspicious circumstances. They therefore were disposed to declare that there was a *primâ facie* case for a Petition, and they were unwilling to saddle petitioners with the costs, by declaring it to be frivolous and vexatious. The other practice, of withdrawing Petitions as a matter of bargain, was illustrated the other day in the matter of the Lisburn Petition. It was there most conclusively proved, that at the very time the Petition was signed, the agent or solicitor interested in the matter obtained also the signatures of the petitioners to the withdrawal of the Petition. Could any man doubt what that was for? Was it not for the purpose of making a corrupt bargain, if possible, with the sitting Member? It was true, as had been alleged, that the appointment of the proposed Committee for the withdrawal of Election Petitions would not cure the evil, unless the parties themselves were animated with a proper spirit. And the old adage was perfectly true in that case, that one man might take a horse to the water, but ten men could not make him drink. When people came before these Committees, they could not torture them for the purpose of forcing all the facts out of them. The appointment of such a Committee as that proposed by the Bill would facilitate the disposal of matters, because it would afford to persons who had petitioned in a *bonâ fide* spirit, and who afterwards found that the evidence would not, in the opinion of competent persons, support the allegations of the Petition, the opportunity of at once coming forward to withdraw it. At the same time, when they came to consider the clauses of this Bill, he thought a good deal of alteration would be required. One defect of the Bill was, that there was no security that a Petition should be proceeded with. It was left at the mercy of anybody whether a Petition should go on or not. He was inclined to agree with the hon. Member for Knaresborough (Mr. Collins), that where a strong case was made out, it would be desirable to provide an inquiry by a Committee, assisted by some public officer appointed by the Speaker. The House owed it to itself to check the practice that prevailed at the beginning of every new Parliament of presenting indiscriminately a number of Petitions against the return of hon. Members.

MR. AYRTON said, the subject was not altogether new, for soon after the late election an attempt was made to legislate, the gentlemen against whom Petitions were presented being anxious to do so; but the majority of the House, amongst whom he was, being averse to discourage Petitions. The question was whether that was a better attempt, and whether they would not be doing more harm than good by any law which would have a tendency to discourage the presentation of Petitions against the return of Members of that House. In the first place, hon. Gentlemen should consider that they had already imposed a very close restriction as to the time within which such Petitions could be presented; and if the Bill were passed, it would be necessary to extend that time, so that persons might have ample opportunity for considering whether they should present a Petition or not. An Election Petition was either a claim of right on the part of some one, or it was merely a piece of information for the benefit of the House and the public. In the former case there ought to be security for the costs of the inquiry; but in the latter, if they were to do more than bind a petitioner to appear before a Committee on his own recognizances, they would go beyond the law of the land in cases of public prosecution, and would discountenance at the outset all inquiry into bribery and corruption. His hon. Friend said that his Bill would not act as a discouragement to *bonâ fide* Petitions. But there was great difficulty at the outset in determining whether a Petition was *bonâ fide* or not. He submitted, if the Bill were read a second time, it would require the most careful consideration in all its details, lest it might lead to greater evils than it sought to redress. If a Petition were presented for purposes of extortion, it should be made a penal offence to withdraw it, and the petitioner should be made liable to prosecution by a common indictment. But the House should be very careful how it departed from the recognised principle of administering the law and embarked in what he would call fanciful legislation. They all knew that all sorts of prosecutions were abandoned from feelings of a private or personal nature;

nor could it be otherwise, unless they introduced into this country a system of public prosecutors. That was the continental method, where the subject was nobody and the Sovereign everybody. He hoped they should never see that system introduced into England, or that the Executive should undertake to remedy evils which individuals had hitherto dealt with by themselves.

THE ATTORNEY GENERAL said, he joined in the approval which had been generally expressed of the main purpose of the Bill, which was to prevent the abuse of the right of petition against a sitting Member; but, at the same time, he quite admitted they were bound to guard against the evil alluded to by the hon. Member for the Tower Hamlets—namely, that of unduly interfering with the right of petitioning, which not only concerned individual members of the community but also affected the privileges of that House. It was most desirable that the fair right of petitioning against the return of Members should be preserved unimpaired; and his apprehension was, that if this Bill passed in its present form, it would be found materially to curtail that valuable right. It should be borne in mind that by the Election Petitions Act of 1848 some considerable restrictions were imposed on the exercise of the right of petition; for, by the 3rd section of that Act, before any Election Petition was presented to the House a recognizance should be entered into by one, two, or more persons to the amount of £1,000 for payment of costs. It was also required, that in the event of the withdrawal of the Petition, the petitioner should be compelled to pay the costs of any persons who might have been put to expense. The object of this Bill was to deprive the petitioner of the right to withdraw his Petition, and to make it certain, or at least reasonably probable, that he would have to incur heavy costs before he could relieve himself from a Petition which he had once presented; and before a Petition could be withdrawn, it should be referred to the Petitions Withdrawal Committee, there to enter upon, it might be, a very tedious and expensive inquiry. The question was, whether greater evils might not be incurred by provisions so stringent as those contained in the Bill. But, in the hope that at a future stage it might be so modelled as to effect the good that was desired, he was prepared to express his approval of the Motion for the second reading.

MR. SERJEANT PIGOTT said, that though his name was on the back of the Bill, and he approved of the measure, he did not claim any portion of the credit of introducing it to the House. They were all agreed that there ought to be some legislation on the subject. From his own professional experience, he knew that a number of Petitions were presented merely as a set-off against other Petitions, or for the worse object of extortion. It was a matter in which the whole House was interested, and they ought to try and devise a remedy for so grave an evil. He could not conceive that there was any valid objection to the measure. It appeared to him that many persons might have perfectly good grounds for petitioning, and might act in a *bonâ fide* spirit in the first instance; nevertheless that they might afterwards find that the evidence upon which the Petition was founded was totally insufficient to support the allegations of bribery and corruption. In that case, supposing that the proposed Committee were appointed, all that such persons had then to do would be simply to go before the Committee and state that they found the evidence was not sufficient to sustain the prosecution of the Petition; and that they had had no communication whatever on the subject with the other party—that there was no *mala fides* in the matter, and therefore they applied to withdraw the Petition. No doubt the Election Committee would call before them the other parties; and if it really appeared that the case was wholly free from *mala fides*, the Election Petition could then be withdrawn without even the expense of counsel or of agents, but merely upon the simple statement of the petitioners. The evil at present was very great. Petitions were presented, as he had said, for the mere purpose of effecting, if possible, a corrupt bargain, and without the smallest idea of persevering with them. In many cases those Petitions were kept hanging over the heads of Members when Parliament was not sitting, solely with the view of inducing corrupt bargains. He agreed that the right of presenting Petitions against the return of Members should be freely exercised, but the Bill would not subject a *bonâ fide* petitioner to any greater risk than he now incurred, while it would protect Members who had obtained their seats by honest means from being harassed and annoyed by frivolous Petitions. He therefore looked upon the measure as a step in the right direction; and so far from it being fanciful or speculative in its character, it was a measure that, in his opinion, would be attended with the most beneficial results.

Sir WILLIAM MILES said, he gave his hon. Friend the utmost credit for bringing the matter before the House. No one who had read the proceedings of the Lisburn Election Petition Committee could have the slightest doubt of the necessity of such a Bill. Had not that Petition been sent to the general Committee of Elections, a most nefarious case of corruption would have been hushed up, and the offending parties would have escaped the cognizance of that House. He thought that the establishment of a Committee, as proposed by the Bill, would be an excellent measure, and prevent Petitions of that kind from being withdrawn without investigation.

Bill read 2°, and *committed* for *Wednesday* next.

METROPOLIS TURNPIKE ROADS ACTS AMENDMENT (*re-committed*) BILL.

[BILL 131.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 7 (Toll Houses, &c. to be removed, with option to Parishes to purchase Pumps, &c.).

Amendment proposed, in page 5, line 10, to leave out from the word "Bars" to the word "Commissioners" in line 11, inclusive.—(*Mr. Cox.*)

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided* :—Ayes 54; Noes 11: Majority 43.

Mr. HARVEY LEWIS said, it was only consistent with equity that the money raised by the Commissioners from tolls on that portion of the roads which were to be handed over to the parishes should be expended upon those roads; but there was nothing in the Bill as it stood to compel the Commissioners to do that. He would therefore move the following additional clause:—

> "Whereas the parish highways are now in a good state of repair; therefore, they shall, until the 1st day of July 1864, be kept in repair by the Commissioners, and be by them delivered up to the several parishes in the like and as good state of repair and condition as they are now in, the same to be metalled with the same or like materials as now—that is to say, with paving where paving is now used, with granite where granite is now used, with flint where flint is now used, with gravel where gravel is now used, and so on."

Sir JOHN SHELLEY said, he would support the clause, which he thought a very fair one.

Clause *brought up*, and read 1°.

Mr. Serjeant Pigott

Sir WILLIAM JOLLIFFE said, that on the part of the promoters of the Bill, he must strenuously resist the clause. The proposal it contained was quite unprecedented, and he believed would be a fertile source of litigation. It was the intention of the Commissioners to keep the roads in a good state of repair until they were given over to the parishes.

Viscount ENFIELD said, that parishes were really entitled to what the hon. Member for Marylebone proposed. They were undertaking great burdens in connection with the roads, and the claim made was equitable.

Mr. H. A. BRUCE said, the clause would form a bad precedent. Every year there were extinguishing trusts, but no such clause as this was inserted in the Bills. He objected to placing on the Commissioners a prospective liability which ought not to rest upon them.

Mr. HARVEY LEWIS said, he did not want to impose any liability upon the Commissioners, but that they should be bound to apply the funds they collected in the repair of the roads.

Mr. ARYTON suggested that the clause should be withdrawn, and brought up again on the Report, amended so as to limit the liability of the Commissioners to the amount of the tolls received by them.

Motion made, and Question put, "That the said Clause be now read a second time."

The Committee *divided* :—Ayes 12; Noes 41: Majority 29.

House *resumed.*

Bill *reported*; as amended, to be considered on *Monday* next.

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, June 11, 1863.

MINUTES.]—Public Bills—*First Reading*—Inland Revenue * (No. 128); African Slave Trade Treaty * (No. 129); Local Government Supplemental * (No. 130).

Report—Vaccination (Ireland) * (No. 108).

Third Reading—Bakehouses Regulation * (No. 122), and *passed.*

POLAND—CONVENTION BETWEEN RUSSIA AND PRUSSIA.—QUESTION.

The Earl of CARNARVON:—My Lords, the other evening the noble Earl the Foreign Secretary deprecated discussion on the subject of Polish affairs. With regard to the Question which I am about to ask the noble Earl, if I thought that Question, however important it may be, would tend in any way to embarrass Her Majesty's Government in dealing with so grave a subject, I should not put it on this occasion; but the Question I wish to ask this evening, though relating to Polish affairs, is one which cannot, as I conceive, exercise any prejudicial bearing whatever, as far as Her Majesty's Government is concerned, on the negotiations in which they are engaged. I feel very great sympathy, for my own part, with the Polish nation in their present struggle; and I feel, what I think every reasonable man must feel, that there is the deepest danger to the other States of Europe in the continuance of the present state of affairs, arising from the circumstances now in progress in Poland. At the same time, I am of opinion that even this evil is less to be dreaded than the wanton and gratuitous intervention of Prussia, or rather of the Prussian Government. When hostilities unfortunately break out in a country, it is the natural duty and the natural wish, I should say, of every professedly neutral power, not only to abstain from intervention, but, as far as possible, to reduce the scope of the hostilities. Unfortunately, the Prussian Government have not thought fit to adopt this policy. I do not think it at all necessary to enter into an argument upon the internal affairs of Prussia. If Prussia chose to change the fair prospects of her earlier career, to abolish her Parliament, to put down her press, and to suppress all free expression of thought—if she chose, in fact, to merge her constitutional monarchy into the coarse form of a military despotism—we have no right to criticise such acts. She is the mistress of her own actions, and must be responsible for them. But when her policy carries her beyond the limits of her own country, when her action is carried across her own frontier, then it affects the relations of other countries, and we, like every other nation in Europe, being affected by that policy, it is our right and our duty to speak out. It is undeniable, as well from the papers which have been laid before Parliament as from common report, that there exists a convention between the Governments of Prussia and Russia. In pursuance of that convention, as far as we can judge from the reports in the newspapers, Russian troops, when beaten by the Polish insurgents, have crossed the frontier and taken shelter in Prussia, have there been recruited with food and arms, and have been sent back with all the facilities which the Prussian Government could give them. On the other hand, when Polish insurgents were defeated and driven across the frontier, they appear to have been immediately captured and handed over to the Russian authorities. Nay, more than that, we have evidence in the papers presented to Parliament that Poles entering Prussia from the south, intending generously to devote their lives to their country, have been arrested by the Prussian authorities and handed over to the Russians to be dealt with as the latter might think fit. I have looked through the papers laid on the table with every wish to satisfy myself as to the state of the case, and I must say that the bearings on this particular point, as to the nature, significance, and precise terms of this convention, are wholly unintelligible to me. I will take the language which is held by the different parties to the correspondence. There are no less than five parties—two contracting parties, Russia and Prussia; and three others materially concerned — namely, Austria, France, and England. I will take, in the first instance, the statement made on the one hand by the Russian and on the other by the Prussian Government. There is no denial of the existence of the document, but these two parties call it by different names. The Prussian Government call it a "Convention," the Russian Government say it is not a convention, but simply an "Engagement." The Prussian Government say that this convention or engagement was pressed upon them by Russia. The Russian Government, on the other hand, as far as we can judge from those papers, seem to have been hardly so eager to enforce it as the Prussian Government; and we have, curiously enough, a reference to part of the draught of the convention having been drawn up, not by the Russian, but by the Prussian negotiators. When our Minister pressed for some information on the subject, the Prussian Minister expressed himself perfectly willing to give the information, to place the text in our hand, if it were not for the objection raised by Russia. When our Minister goes to the Russian Government, he is told that they would be delighted to hand it over; but objections have been raised in another quarter. What that quarter is, the Russian Minister does not say; but we may draw our own conclusion on that point. The Prussian Minister, M. von Bismarck, objected to producing the convention, saying that the ratifications had not been exchanged, and that, consequently, it was an incomplete and informal document, and as such ought not to pass into the hands of another Power. But, as Sir Andrew Buchanan, the English Minister at Berlin, pointed out, this document being a convention between Russia and Pussia, depends for its validity on the will and pleasure of the contracting parties. When we push the matter a little further, one of the contracting parties says that the object of the convention is simply to provide for a safe transit of the Russians across the frontier, when pursued by the Poles. The other goes beyond that, and says, it is for the purpose of enabling the Prussians to apprehend and give up insurgents. There is this difference when you come to deal with the parties concerned. But you find just as wide a difference in the views of Austria, who was the first Power with whom it was proposed to enter into a convention. Austria was, no doubt, placed in a difficult position. It was difficult for her, perhaps, to speak her mind; but she refused to have any part in it. France speaks with greater force. She tells you that this is a very grave question; that Prussia, by entering into a convention, forfeits her neutrality, extends the area of hostilities, and makes an incident in Polish affairs a grave question of European policy. We now come to the opinion of the Government of this country, as expressed by my noble Friend the Foreign Secretary. What is the view he takes on this subject? On the 2nd of March he writes to our representative at Berlin in language clear and forcible. He tells Sir Andrew Buchanan that it was the duty of Prussia to observe neutrality, but that in acceding to this convention she has departed from neutrality. On the same day the noble Earl appears to have received at the Foreign Office a despatch from Berlin, in which Sir Andrew Buchanan tells him that M. von Bismarck has had a conversation with him, and that in his opinion the convention is informal and incomplete. Three days afterwards the noble Earl writes to Lord Cowley that the importance of the convention is gradually diminishing, and nine days afterwards he writes to Sir Andrew Buchanan that the convention is a dead letter, and that he need not trouble himself to ask for any copy of it. That despatch went forth on the 11th of March. On the 14th the despatch of the noble Earl was crossed by a letter from Sir Andrew Buchanan, who said, "I do not believe that either Government has declared the convention to be null." He then adds the expression of his opinion that that convention is not cancelled, but is to be acted on during the remainder of the war. Subsequently, on the 31st, you have the account of a debate in the Prussian Chambers, in which this convention is spoken of as still existing — admitted to be still existing by the Prussian Minister, and denounced by the Prussian Deputies in the strongest possible manner. Now, I do not care to dwell upon the inconsistencies and contradictions of the Prussian Government on this subject. I do not care to impute to Prussia equivocation or falsification of the facts; but I do say, that if Prussia had desired to appear in the eyes of Europe as equivocating, contradicting, and using an official mystification in this matter, it would have been impossible for her to adopt a course which would have answered that end more completely. My Lords, that closes the first stage in these proceedings; but there comes a second stage, and a very important one it is. On the 27th of February, Sir Andrew Buchanan goes to the Prussian Prime Minister at Berlin, and asks for an explanation of the nature and provisions of this convention, requesting that he might see the text. M. von Bismarck answers in the manner I have already described, but says, that though he cannot place the text of the convention in his hands, he is quite willing to read it to him. Accordingly he reads a paper which, to use Sir Andrew Buchanan's own words, M. von Bismarck represents to be the convention in question. Eight days afterwards—namely, on the 2nd of March—Sir Andrew Buchanan returns, and asks M. von Bismarck one of the most singular questions which was ever asked by one diplomatist of another—namely, whether the paper which M. von Bismarck had represented as being the convention, was in fact the whole, or was only a part of that convention. It was a very singular question; but I think the answer was still more singular; for it appears that Count Bismarck then stated, that that paper was neither the whole nor a part of the convention, but was simply the draught as proposed by Prussia. However, in order to put an end to all doubt, M. von Bismarck proposed to read the actual convention, as it was signed at St. Petersburg, and he read it accordingly. Now, here should have been the solution of every doubt on the subject; and if no other view came out in those papers, I confess that I should have been perfectly satisfied with such an explanation from the Prime Minister of any country. But a little further on comes a most remarkable despatch from Lord Napier, our Ambassador at St. Petersburg, in which he describes a conversation he has had with the Duke of Montebello, the French Ambassador, who says he has seen the convention, and that allusion is made in it to a secret article. That despatch is only an extract. The secret article is spoken of as being to a certain extent known, and one to which previous reference has been made; but I find no explanation whatever of it, except in one single isolated passage. Now, I do think it is time to ask, not only whether this is the only secret article, or whether there are more—not merely what is the meaning of all this official mystification, but what can be the bearing of a paper which requires a secret article at all? Secret articles are not usually appended to State papers which are declared over and over again by the contracting parties to be devoid of all political significance. But when there has been a good deal of obscurity and reserve, it is sometimes convenient and important to inquire into the grounds of necessity which justify such a transaction. Sometimes it is possible to infer the nature of transactions from the necessities of the case. Now, what are the grounds of necessity here? Could the convention have been necessary in any sense either for Russia or Prussia? You have in these papers the Cartel Convention of 1857, under which Russia has a full and absolute right to the extradition of all offenders, whether political or criminal. M. von Bismarck himself—no slight authority on such a subject—tells you that this convention is so elastic as to comprise every species of offence. I should have thought that that was enough to satisfy Russia, if she merely wished to obtain the surrender of political offenders; and I should have thought, that if Prussia were merely ambitious to fulfil the duties of the high police of her neighbour, such a convention would have satisfied her. But against whom, or for what object, was the new convention entered into? No one will tell me that these unhappy Poles could have meditated carrying the war into the territories of Prussia. Was it rebellion, then? Was it the fear of insurrection? Why, we never heard a whisper of anything like disquiet or political disturbance in the Polish territories of Prussia. Was it, again, any domestic pressure or any national sentiment which urged Prussia on? Why, we have in these papers the Report of a very stirring debate in the Prussian Chamber, in which the convention is denounced in far stronger language than I would venture to use before your Lordships. Well, then, there is but a single reason which I can imagine after having employed this exhaustive process. Incredible as it may seem, this convention must owe its existence to the jealousy of Prussia—to her fear, to a vague and indefinite dread of anything like constitutional life arising on the other side of her frontier. I dissociate the action of the Prussian people from that of their Government, and I shall not consent, without much larger evidence than that now supplied to us, to believe that the mind and feeling of Prussia are enlisted in the course taken by her Government. But the Prussian Government think it possible, that out of the present wreck and chaos in Poland, and out of the bloody strife now going on there, may arise some freer principles of government, some more liberal constitution than that which Poland has for a long time enjoyed; and this, I believe, is the phantom which has so scared them—this is the ghost which M. von Bismarck has conjured up, and is now endeavouring to lay. My Lords, surely it is a most unworthy policy to grudge this measure of freedom and this new constitution to Poland. More than that, it is unnecessary and unwise to do so, because by such conduct Prussia isolates herself, and drives back the sympathies of those nations who have been her best allies in former years. In such a policy she goes back, not by years, but almost by generations, and gives up entirely the prize for which she has been so long struggling—the leadership of Germany. More than this, I think it will be admitted that such a policy is not only unworthy, unnecessary, and unwise, but that it is eminently unsafe. Are Prussian statesmen positively so blind, are their eyes so judicially darkened, that they cannot see the excessive danger of the course they are now pursuing, and are not aware of that which any child can discern—how nicely balanced and how critical affairs now are in Europe? Is it possible for them to fancy that they can act while others hereafter will sit still, and that the mischievous precedent of intervention will not be exercised some day by some other Power? In one word, to put it in the strongest form, do they think that their western frontier is so secure that they can venture to trifle with their own fortunes and the peace of Europe? It would be well if Prussian statesmen had solved these questions clearly and distinctly in their own minds before they ventured upon this dangerous course. I have made these observations because I feel, that if I allowed this time to pass by, the opportunity might be lost of calling attention to this questionable and unsatisfactory transaction. I have endeavoured to keep clear of all questions which are in any way involved in the negotiations now being carried on by the Government, and I shall conclude by asking the noble Earl the Secretary of State for Foreign Affairs, Whether he can add any further Information respecting the Nature and Provisions of the recent Convention concluded between the Governments of Russia and Prussia beyond that contained in the Correspondence respecting the Insurrection in Poland laid before Parliament?

EARL RUSSELL: My noble Friend has certainly avoided any question which could at all embarrass Her Majesty's Government in the negotiations now going on with respect to Poland; and with regard to the particular Question which my noble Friend has put to me, I cannot say that I can add anything to the present information to be derived from the papers which have been laid before Parliament. The noble Earl says, very truly, that what was represented as a convention at Berlin was represented at St. Petersburg as a mere military arrangement; that what was represented at Berlin as done at the request of the Russian Government, was represented at St. Petersburg as having been done at the request of Prussia. In short, there has been a kind of contradiction, a kind of obscurity, with regard to this convention. What, however, appeared to Her Majesty's Government, and I believe to the Government of France, to be the most important part of this convention or military arrangement, whichever it may be termed, was this:—It was believed that if Russian troops entered upon Prussian territory—that is into Posen or Silesia—they would be there at liberty to carry on hostilities against the Polish insurgents whom they were pursuing. Now, we find that Count Bismarck denies that any authority is given for that purpose, and says that the convention in that respect is a dead letter; and he states that no instructions have been given to the Prussian authorities, without whose sanction Russian troops could not go in pursuit of the insurgents, or carry on hostilities in Prussia. That being the state of the case, I certainly said that the importance of that convention was very much diminished, and Count Bismarck repeated that it was a dead letter. That, however, does not appear to be the case. The noble Earl made some general observations at the commencement of his speech with which I cannot but agree. Here was an insurrection broken out in Russian Poland, with the motives and provocations of which the Prussian Government had nothing to do. It certainly appeared to Her Majesty's Government that the wise course for Prussia to pursue was to take every precaution to preserve tranquillity on her own frontiers among her own subjects in Prussian Poland, and to adopt such measures of conciliation on the one hand, and military vigilance on the other, as would prevent the insurrection from spreading into the Polish provinces of Prussia. Such was very much the policy pursued by Austria; but it has certainly not been the general policy pursued by Prussia. Prussia has considered that the insurrection in Russian Poland was a danger to Prussian Poland; and, without going the extreme length of allowing Russian troops to pursue the Poles on her own territory, she has done everything in her power that was not quite open to the charge of being a breach of neutrality to assist Russia. That being the state of the case, I think it is very bad policy on the part of Prussia, and a policy which at one time seemed likely to involve disagreeable negotiations with France and England.

LORD BROUGHAM said, that although reluctant to take any part in the discussion, he would not have his silence construed into the slightest approbation of the conduct of Prussia. He agreed with all parties in this country, and all on the Continent, except the Government of Prussia, in reprobating the conduct of Russia towards Poland. Viewing with reprobation that conduct, and trusting that it would not produce any effects inconsistent with the peace of Europe, he must express his astonishment and his sorrow for the conduct of Prussia in regard to her own subjects and her own constitution. He believed that the Prussian people had the sympathy of all Europe, except, perhaps, the army of Prussia, in their present position with regard to the Crown.

The Earl of CARNARVON: My noble Friend has said nothing as to the secret article. I should be glad to know, whether he can give us any information as to the nature of that secret article, and whether he will lay upon the table any despatches, or parts of despatches, relating to it?

Earl RUSSELL: Some mention has been made of a secret article, but we have not such information as we can rely upon, and which we could produce to the House, based upon any satisfactory authority.

House adjourned at Six o'clock, till To-morrow, a quarter before Five o'clock.

HOUSE OF COMMONS,

Thursday, June 11, 1863.

MINUTES.]—New Member Sworn—Lieutenant Colonel Charles George Tottenham, for New Ross.

Supply—*considered* in Committee—Civil Service Estimates.

Resolutions reported—Adjourned Debate (9th June) on Resolution (June 5) *resumed*: Resolutions *agreed to*.

Public Bills—*First Reading*—Newcastle-upon-Tyne (St. Mary Magdalen Hospital)* [Bill 162]; Ruthin Charities* [Bill 161]; Sir Robert Hitcham's Charity* [Bill 160]; Charitable Uses* [Bill 164]; Militia Pay* [Bill 163].

Second Reading—Regimental Debts, &c.* [Bill 149].

Committee—Offences (South Africa) (*Lords*)* [Bill 113], on *re-committal*.

Report—Offences (South Africa)*.

Considered as amended—Volunteers [Bill 152]; Cayman Islands (*Lords*)* [Bill 132].

Third Reading—Drainage and Improvement of Land (Ireland) [Bill 106], *Adjourned Debate* (5th June) *resumed*; Bill *re-committed*; *considered*, and *reported*; *considered* as amended; —Officers of Royal Naval Reserve* [Bill 142], and *passed*.

SLAVE TRADE.—QUESTION.

Mr. CONINGHAM said, he would beg to ask the First Lord of the Treasury, Whether the efforts which have been made hitherto by the British Nation for the suppression of the African Slave Trade might not with advantage be extended to the continent of America; and whether the time has not at length arrived when it becomes the duty of Her Majesty's Government to enter into friendly negotiations with the Federal Government of the United States for the purpose of concerting measures for the gradual but total suppression of the Slave Trade in the Confederate States?

Viscount PALMERSTON: Sir, my hon. Friend is doubtless aware that the Federal Government have concluded a Treaty with the Government of Her Majesty, giving a mutual right of search, for the purpose of suppressing the Slave Trade carried on under the Federal flag. The Confederate States have passed a law which renders the Slave Trade highly penal, but my hon. Friend must be aware that the Federal Government have no relations at present with the Confederate States—except the relations of war—which, of course, will not permit any intercourse with reference to a mutual arrangement such as that to which his Question points. I may add, that as Her Majesty's Government have not yet acknowledged the independence of the Confederate States, and that independence not being established in a way which would justify our interference, no diplomatic communications can take place between us and those States. If, however, in the course of time, things should alter, we should hope the Confederate States, if they should succeed in establishing their independence, would enter into arrangements on the subject of the Slave Trade similar to those which the Federal Government has concluded.

Mr. CONINGHAM: The Question I asked was, whether Her Majesty's Government might not enter into communications with the Federal States for the suppression of the Slave Trade on the continent of America?

Viscount PALMERSTON: I thought I answered that Question when I stated that the Federal Government have no relations at present with the Confederate States, save relations of war—a fact which, of course, would render useless any action such as that to which my hon. Friend refers.

THE REFRESHMENT DEPARTMENT OF THE HOUSE.—QUESTION.

Mr. HENRY SEYMOUR said, he wished to ask Colonel French, the Chairman of the Kitchen and Refreshment Rooms Committee, What steps they are about to take to improve the state of the Refreshment Rooms, with a view to the next Session of Parliament?

COLONEL FRENCH replied, that it was generally said in Ireland that the best way of answering a question was sometimes to ask another. That he believed was the most satisfactory manner in which he could answer his hon. Friend, inasmuch as the Committee were not able to give a direct answer without, in the first place, appealing to the Chancellor of the Exchequer. The attention of hon. Members had been already drawn to the great inconveniences connected with the refreshment department, owing to the rooms being so narrow and so badly ventilated, as well as to the fact that there was no certainty as to what number of Members would dine on any given day. It would, however, be seen by a Report which had been laid before the Chancellor of the Exchequer that a plan had been prepared by Mr. Barry, with respect to which the Committee, which had met that morning, had reported—

> "That having further considered the expediency of enlarging the dining-rooms, they were of opinion such enlargement was absolutely necessary; and having seen Mr. Barry's improved plan, they strongly recommended its adoption."

The Chancellor of the Exchequer seemed to consider the outlay required for the purpose was greater than the House would be disposed to sanction—the amount, as estimated by Mr. Barry, being somewhere about £4.000. It was, however, the opinion of several experienced Members of the Committee that the necessary improvement could be made for a smaller sum; but although a number of plans had been laid before them, none appeared to them to be so satisfactory as that of Mr. Barry. It was found that a better supply of wine could not be had without materially diminishing the profits of the present manager, and he trusted the matter would be put in such a light before the Chancellor of the Exchequer that he would see the propriety of securing proper accommodation for the Members of that House, which ought to be done all the more readily, seeing that the demands of the House of Lords in reference to their refreshment department were granted without the slightest hesitation.

EMPLOYMENT OF CHILDREN IN POTTERIES AND PAPER TUBE FACTORIES. QUESTION.

MR. FERRAND said, he rose to ask the Secretary of State for the Home Department, Whether he intends to bring in a Bill this Session to limit the hours of labour for children employed in Potteries and Paper Tube Factories?

SIR GEORGE GREY, in reply, said, at present he had no intention of proposing a Bill on that subject, and for this reason, that the first Report of the Children's Employment Commission was only sent to him two days ago, and it was desirable to have it printed and circulated, with a view to its being fully considered before any Bill was proposed. With regard to Paper Tube Factories, no Report had yet been received on the subject.

SMALL-POX PATIENTS IN PUBLIC VEHICLES.—QUESTION.

SIR ANDREW AGNEW said, he wished to ask Mr. Attorney General, Whether officials of Railway and Steam Boat Companies may lawfully remove from carriages or vessels under their supervision persons who are obviously labouring under small-pox; and whether individuals thus wilfully travelling from place to place at the risk of spreading so dreadful a scourge through a whole community are subject to any penalty on conviction before a magistrate? He (Sir A. Agnew) was aware of two cases in which patients, labouring under the disease in an aggravated form, were admitted as passengers in a railway carriage where there were other persons travelling.

MR. HENRY SEYMOUR said, he should like to know from the Secretary of State for the Home Department if there was no remedy in this matter. A case had come under his (Mr. H. Seymour's) own observation. He had seen a woman afflicted with small-pox placed in a second-class carriage which was filled with passengers?

THE ATTORNEY GENERAL said, he understood the hon. Baronet to mean, by the first part of his Question, that the persons described were those who were being conveyed in the course of a journey, the railway or other companies having undertaken to carry them. It appeared to him that by the Common Law the Officials of the company would not be justified in removing them. In respect of the Question of the hon. Gentleman (Mr. H. Seymour), he was not aware of any Act of Parliament having reference to the subject.

THE ARGENTINE REPUBLIC AND THE BRITISH CLAIMS.—QUESTION.

MR. CLAY said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether the Government have been officially informed that the Commissioners appointed by the Argentine Government to settle British claims with Mr. Doria refused to acknowledge as conclusive that which had been accepted by Mr. Thornton, Her Majesty's Minister, and the former Commissioners; that Mr. Doria has, in consequence, suspended his sitting with the Commissioners; and, if so, what steps have been taken by Her Majesty's Government in this matter?

MR. LAYARD said, in reply, that it was true that the Commissioners recently appointed by the new Government of the Argentine Republic had refused to acknowledge the principle upon which claims had been settled by a previous Government. In consequence of this refusal, Mr. Doria declined to concur in the sitting of the Commissioners. Her Majesty's Government had instructed Mr. Doria to inform the Government of the Argentine Republic that their proceedings in this case were contrary to international usage, and, if persevered in, might lead to serious consequences. He (Mr. Layard) trusted that they would see the propriety of taking such steps as would allow the Commissioners to resume their sitting.

VANCOUVER'S ISLAND AND BRITISH COLUMBIA.—QUESTION.

MR. FITZWILLIAM said, he wished to ask the Under Secretary of State for the Colonies, Whether Her Majesty's Government have come to any decision as to the union of the two Colonies of Vancouver's Island and British Columbia under one Governor?

MR. CHICHESTER FORTESCUE replied, that he could not answer the Question of the hon. Gentleman, because his noble Friend the Secretary of State for the Colonies would, in a short time, have occasion to bring into the other House a Bill relating to British Columbia, and would then make a full statement of his intention with respect both to that Colony and Vancouver's Island.

THE LATE FIRE IN THE HOUSE OF COMMONS.—QUESTION.

MR. HUNT said, he wished to ask the First Commissioner of Works, Whether the statement which appeared in the public papers in reference to the outbreak of fire on Monday last in the corridor of the House of Commons is correct? That statement was to the effect that there was a brick out of the flue where the fire originated, and that it was supposed this defect existed since the construction of the building. If that were the fact, he desired to ask the right hon. Gentleman who was responsible for this. He also wanted to know whether the Government had directed any examination into the other flues similarly circumstanced, that was, with woodwork abutting on the flue? He happened to be in the library when the fire broke out, and he rushed into the corridor, where the woodwork was burning. There was a water main immediately over where the fire was, but the service tap was so stiff in the joint that no person there could lay on the water by reason of its being out of order. The water, however, was got in an adjoining corridor, and in that case no harm was done. But the delay of those few minutes might have caused great damage. He therefore wished to know who was responsible for the water service of the House being kept in an effective condition?

MR. COWPER, in reply, said, the fire did originate from a hole in the flue of the chimney of the kitchen of the House of Commons. That hole was about four inches wide. It appeared that the soot had been forced through this hole during the process of cleaning the flue, and had accumulated outside the flue, just above the wooden panelling of the ceiling of the corridor. A large quantity of soot having accumulated for several years, it ignited, and produced fire. There were no means of ascertaining how this hole originated. But from the size, appearance, and position of the hole it would seem to have been made during the construction of the building to receive one of the iron girders. As it was not used for that purpose, it ought to have been filled up, but somehow or other the bricklayer had omitted to do so. He (Mr. Cowper) had given directions that all the flues in the building should be examined so far as circumstances would allow, in order to ascertain whether such an accident was likely to occur in any other place; and the recurrence of such an accident was very unlikely. The fire was very rapidly extinguished, but the stand-cock at the spot was certainly found too stiff to be worked at the moment when it was wanted. The persons present ran immediately to the next stand-cock and procured a sufficient quantity of water to extinguish the fire. The first stand-cock was afterwards put in proper order in the space of two minutes. Those stand-cocks must be made very tight, in order to prevent the leakages of water from a tank which contained 12,000 gallons. The police who were employed in managing the fire arrangements of the Houses of Parliament, were required to examine those stand-cocks from time to time—about once a fortnight. When they were last examined, they were all found to be in good order. He thought it well to state to the House the precautions that had been adopted against the recurrence of a similar accident. The stand-cocks are directed to be examined at short intervals of time, and their condition registered every week. There was only a slight stiffness in the stand-cock first tried, owing to its having been turned on too tight. But if no other stand-cock had been available, the stand-cock in question could have been easily made to act. The persons on the spot, however, thought, on the whole, that the most expeditious course was to go to the next stand-cock for the necessary supply of water required. There were thirty-seven stand-cocks in the building and twenty outside. The police force kept in the House during the night was one inspector, two serjeants, and twenty-six men. A policeman was required to pass every portion of the building every half-hour. There were fire-hose places in various parts of the building and in the immediate vicinity of the stand-cocks. He believed the arrangements in this respect were perfect.

THE ROYAL VICTORIA PATRIOTIC ASYLUM.—QUESTION.

Mr. W. E. FORSTER said, he would beg to ask the right hon. Baronet the Member for Droitwich (Sir John Pakington), Whether, of the six ladies who were left on the Ladies' Committee of the Royal Victoria Patriotic Asylum, after the resignation of the majority, one is the wife of the Chaplain of the Asylum, two are the wives of the two Secretaries of the Patriotic Fund, one is at present in Canada, and a fifth has been prevented by illness in her family from ever attending; and also whether any ladies have been added to the Committee; and, if so, when, and how many?

Sir JOHN PAKINGTON said, that as the Question had been put to him, he would reply to it; but as his right hon. Friend the Member for Tyrone (Mr. Corry) had succeeded Lord Colchester as Chairman of the Committee, such inquiries would in future be more properly addressed to

Mr. Cowper

him. As the hon. Member for Bradford no doubt wished to have full information in regard to the state of the Ladies' Committee, he (Sir John Pakington) thought he should best answer his Question by making the following statement:—The Ladies' Committee originally consisted of thirteen members, of whom seven resigned, leaving upon the Committee six—namely, Lady Sarah Lindsay, the hon. Mrs. Wellesley, Mrs. Lefroy, Mrs. Fishbourne, Mrs. Morrison, and Mrs. Kirby. These six ladies had regularly visited the establishment from the disruption until the present time. To five of them the hon. Gentleman's Question had reference. Lady Sarah Lindsay had lately gone to Canada with General Lindsay, who had been appointed to the command of the Guards, and whose efficient services as a Royal Commissioner and a Member of the Committee had therefore also been lost to the institution. Mrs. Kirby was the wife of the chaplain, had not been in the habit of attending, and had now resigned. Mrs. Morrison was the lady to whom the hon. Member had referred, who had been prevented, by illness in her family, from attending; that impediment still existed, and she too had resigned. The two ladies mentioned as the wives of the honorary Secretaries were Mrs. Fishbourne and Mrs. Lefroy, who were still Members of the Committee, and lady visitors. The inference intended to be suggested by the Question, he presumed, was that they were not independent. The experience of the Asylum had, however, shown that husbands and wives were not, of necessity, of the same opinion with regard to the details of school management any more than with regard to other matters. He therefore earnestly hoped that they should retain the services of these two ladies, of whose independence of action he had no doubt. As, although the visitations had continued up to the present time, there was too small a number for the Committee, he had great pleasure therefore in informing the hon. Gentleman that on Tuesday last the Hon. Mrs. Lloyd Lindsay, Lady Pollock, Mrs. Jenkinson (the wife of the rector of Battersea, and sister of the right hon. Baronet the Home Secretary), and Mrs. Lawrence (the wife of Sir John Lawrence), had been appointed, and had consented to act upon the Committee. The number of lady visitors thus amounted to seven; but as the Executive Committee were of opinion that even that number was rather too low, it was intended to increase it to nine. Lady Radstock had consented to become a visitor, and Lady Havelock had been applied to. He hoped that she would consent; but if she did not, some other lady would be asked to join the Committee.

GOVERNMENT OF SINGAPORE.

QUESTION.

MR. **LYALL** said, he wished to ask the Under Secretary of State for the Colonies, Whether the Government of Singapore will shortly be transferred from the Indian to the Colonial Department; and in the event of such transfer, whether it will entail any charge on the Imperial Exchequer?

MR. **CHICHESTER FORTESCUE** said, in reply, that a deputation of gentlemen connected with the Straits Settlements had an interview with his noble Friend the Duke of Newcastle a few days ago, when they requested that the subject of transferring those Settlements to the Colonial Office might be again taken into consideration, representing that the revenues of Singapore and the other Settlements had been so far increased as to make it certain that no charge would fall upon the Imperial Treasury. In consequence of this, communications had been opened between the Indian and Colonial Departments, to see whether arrangements could be made for the transfer. He would at the same time remind the House that the arrangement made on a former occasion failed solely on the ground that his noble Friend the Secretary of State was unwilling to bind the House to a Vote in aid of the revenues of Singapore.

AGRICULTURAL STATISTICS.

QUESTION.

MR. **HEYGATE** said, he would beg to ask the Secretary of State for the Home Department, If he will state to the House the result of any communications he may have had with the Registrar General with reference to the collection of Agricultural Statistics; and whether Her Majesty's Government propose to take any steps for the purpose of obtaining such statistics, either by means of the office of the Registrar General, or of Inland Revenue, or otherwise?

SIR **GEORGE GREY** said, in reply, that in consequence of the obstacles found to exist in the way of obtaining agricultural statistics through the agency of the Poor Law Board or the County Constabulary he had communicated with the Registrar General to ascertain what would be the prospects and probable expense of procuring the desired information through that department. The Registrar General had no doubt the information could be obtained; but as the officers employed under that department were engaged in different pursuits, and were not paid by salaries to give their whole time to the public, it would be necessary to provide about £15,000 annually as remuneration for the discharge of their additional duties. The Government felt, under the circumstances, that it would not be right to ask Parliament for a grant of that amount for obtaining statistics which, as the returns could not be compulsorily enforced, would be very imperfect.

PUBLIC BUSINESS—INTERNATIONAL EXHIBITION.—QUESTION.

MR. **BAILLIE COCHRANE** said, he would beg to ask the noble Lord at the head of the Government, Whether it is clearly understood that the Vote for the purchase of land and buildings at South Kensington will be taken on Monday next?

VISCOUNT **PALMERSTON**: Yes.

MR. **GREGORY** said, he thought it would be more convenient to take the discussion in relation to the International Exhibition upon Thursday next. Two very important Motions, one on the subject of China, and the other upon Poland, stood for Monday evening, and it was impossible Supply could be reached till a late hour in the evening. Would the noble Lord consent to fix the discussion for Thursday next, with a general understanding that no opposition would be given to the Motion for going into Committee of Supply?

VISCOUNT **PALMERSTON**: We have no command upon Supply nights. It is competent for anybody who chooses to give notice preliminary to going into Committee of Supply; and if we are to wait till all these Notices are exhausted, this discussion cannot be taken till rather late in the Session. I am afraid, therefore, I shall not be able to agree to the suggestion of the hon. Member for Galway.

AFFAIRS OF POLAND.—QUESTION.

MR. **BAILLIE COCHRANE** said, in consequence of the reply of the noble Viscount, he felt bound to ask his hon. Friend the Member for the King's County, Whether he meant to discuss the affairs of Poland next Monday evening?

Mr. HENNESSY said, he should certainly take the liberty of proceeding with the notice which he had placed on the paper, on whatever day Supply was fixed by the Government. He believed it was intended to ask for Supply next Monday evening.

BUSINESS OF THE HOUSE — STANDING ORDERS 1861 — MORNING SITTINGS.

FISHERIES (IRELAND) BILL.

Mr. BUTT rose to call attention to an Order made on Tuesday last, which he believed to be inconsistent with the letter as well as with the spirit of the Standing Orders of the 3rd of May 1861. He disclaimed any intention of bringing forward this Motion on account of the interest which he felt in any particular measure, presuming that the ultimate fate of the Fisheries (Ireland) Bill would not be affected by the day on which the morning sitting might be held. But he did think the question an important one in its bearing on the right of private Members to bring forward Motions upon going into Committee of Supply. In 1861 a great change was made in the proceedings of the House. Thursday was given to the Government, and the Motion of adjournment on Friday was dispensed with; two opportunities were thus taken away from private Members for bringing forward Motions which they thought deserved attention. To compensate for this, a Standing Order was passed, declaring that while Committees of Supply or of Ways and Means were open, the first Order of the Day on Friday should be either Supply or Ways and Means, and upon that Order being read the Question should be proposed "That Mr. Speaker do leave the Chair." He knew that since that Order passed morning sittings had been constantly fixed for Fridays, and therefore it was with some hesitation that he ventured to question a practice which had tacitly received the sanction of the House. But, in point of law, there was no distinction between morning and evening sittings; the House assembled at twelve instead of at four, and the sitting was merely interrupted, not terminated. If from any old book extracts could be taken showing that in another Parliamentary assembly it was the practice to fix Supply as the first Order of the Day, and then to take two or three other Orders before it, this would no doubt be pointed out as a method of conducting business peculiar to the Irish House of Commons. It did not follow, that when the House met at twelve, it should of necessity adjourn at four; it was in the discretion of those present at the morning sitting to pass a Resolution resolving that the sitting should go on continuously till twelve o'clock at night. The practice of taking morning sittings upon Fridays defeated both the letter and the spirit of the arrangement contemplated by the Standing Order of 1861, two hours of the time which it was the object of those Standing Orders to give to private Members being practically deducted by the morning sitting. There had already been one or two counts-out on Friday evenings, and he believed no arrangement was more likely to facilitate the recurrence of such events than a practice of taking morning sittings, and then suspending business for two hours. It might be said that the House was constantly in the habit of fixing morning sittings upon Tuesday, when Notices of Motion had precedence over the Orders; but no Standing Order specially applicable to that day had been passed. By the old law of the House Notices of Motion had precedence on every day of the week; but in 1811, for the first time, precedence was given on certain days to Orders of the Day, Tuesday remaining ever since under the old law. For the reasons which he had just given he begged to move that the Order relating to the Fisheries (Ireland) Bill be read for the purpose of being discharged.

Motion made, and Question proposed,

"That the Order of the 3rd day of May last, for the House to resolve itself into the Committee on the Fisheries (Ireland) Bill To-morrow at Twelve of the clock be read, for the purpose of being discharged."—(*Mr. Butt.*)

Mr. SPEAKER: The hon. Member for Youghal has made a Motion to discharge an Order made by the House itself. His address has properly been made rather to the House than to myself; I should desire, before putting the Question, to consult the House, whether it would be its pleasure that I should remind the House exactly of what the practice has been. Before the year 1861 the practice was that Tuesdays and Fridays were the days on which morning sittings were ordinarily appointed; and on Fridays, when there had been a morning sitting, and a Motion had to be made in the evening that the House at its rising adjourn to Monday, the House met on those occasions at six o'clock exactly, as it would meet at six now for going into Committee of Supply. Therefore, there is no further limitation put upon the discussion of the notices of individual Members by the Order as it now stands, than existed under the former Orders. But in May 1861 the House passed the Standing Order which has been referred to, and the House immediately proceeded to put its own interpretation upon that Standing Order, holding that it had not reference to the morning sittings, but only to the evening sittings; because the House, when the matter was fresh in its recollection, proceeded to appoint morning sittings on Fridays through the months of June and July in that year, and that practice was continued through the last Session of Parliament. With regard to the violation of the Standing Order, the same violation of the Order and practice takes place every Tuesday on which a morning sitting takes place. On Tuesdays, Notices of Motion have precedence of Orders; and so they still have in the evening sittings, but not in the morning. Therefore, both the order and usage of the House equally maintain the distinction between the morning and the evening sitting. It is now for the House to consider whether any reason has been given which should induce it to discharge this Order and to depart from its established practice.

COLONEL FRENCH said, that the practice was new, commencing in 1861, in consequence of the Report of a Committee of which Sir James Graham was Chairman. There was, however, no foundation for the attempt to rescind the Order for going into Committee on the Fisheries Bill at the meeting of the House at twelve o'clock tomorrow. The practice of the House was altered in May 1861, and immediately afterwards morning sittings were held on Fridays, at which Bills, and not Supply, were taken. Last year the House also fixed Bills for morning sittings on Friday, Supply being taken, as now, when the House resumed at six o'clock. The Motion of his hon. and learned Friend was therefore in opposition to all precedent, and, if it were agreed to, would only obstruct business.

VISCOUNT PALMERSTON: I hope that the House will not go into a discussion of morning sittings. I trust that after the very clear and conclusive statement which you, Sir, have made as to the intention with which the Order in question was passed, and the practical construction which the House has put upon the Order, the hon. and learned Gentleman will not think it necessary to press his Motion, but that he will be satisfied with the authoritative declaration as to the rule and practice of the House.

COLONEL DUNNE thought that due notice ought to be given by the Government of these morning sittings. He had a Motion on the paper to-morrow night relative to Ireland, which he had been endeaing to bring on all the Session, and he despaired of bringing it on to-morrow if the House did not meet before six o'clock. He could not but feel that the Government had the power of getting rid of almost any Motion of independent Members by neglecting to make a House at six o'clock.

MR. BUTT said, he did not wish to press his Motion.

MR. SCULLY must say that it was a great inconvenience to Irish Members not to know when morning sittings were to be appointed. He was told that the noble Lord at the head of the Government gave notice on Friday that there would be a morning sitting on Tuesday. The report in *The Times* was quite correct in this respect; but he was told that the Order for the meeting of the House on Tuesday was carried on Monday night. He therefore came down on Tuesday morning at great inconvenience, when he found that there was no morning sitting. He now learnt that there was to be a morning sitting to-morrow; but until he saw the Motion of the hon. and learned Member for Youghal on the paper, he was ignorant of the fact. He thought the notice ought to be put on the paper of the intention to move for a morning sitting, so that it might not be snapped at in this manner.

SIR GEORGE GREY said, that his hon. Friend gave notice in his place on Friday of his intention to propose that the House should meet on Tuesday morning to consider the Irish Fisheries Bill. The proper time for doing that was when the Bill was called on the Orders of the Day on Monday night. The House being, however, counted out on Monday, it was impossible for his noble Friend to make his Motion. If the hon. Gentleman had looked in the Votes on Wednesday, he would have seen that the Motion was made then.

MR. HENNESSY said, the right hon. Baronet was under a mistake, because the fact was that the right hon. Baronet the Secretary for Ireland actually made the Motion at half past four o'clock, and the Irish Members who waited all night to support the Motion if necessary, and who were not in the House when it was made quietly in the early part of the evening, found to their surprise that the Order was passed over when the list was gone through.

MR. NEWDEGATE said, that having been a Member of the Committee of 1861, he begged to remind the House that one of the chief causes of the change was the laxity of practice on Supply nights, which made it impossible for hon. Members to know with certainty when the Motions in which they were interested would be taken. He thought, that when the Government proposed that the House should sit on a morning, more than one day's notice should be given.

MR. DARBY GRIFFITH said, he agreed with hon. Members who thought, that if this power were to be exercised in so off-hand a way, some notice should be given to the House. Those novelties and countings-out were enough to baffle the ingenuity of the oldest Members. What he wished to say was that those changes contravened very pointedly the arrangements which were made two years ago. The noble Lord not long since found himself constrained to give a pledge that on notice days the Government would make a House. They would make a House at twelve o'clock, when nobody wanted it. But if there were to be morning sittings on Fridays, the pledge which the noble Lord had given would be kept to the ear and broken to the hope. Those movements were uncommonly like what would be called sharp practice elsewhere, for they entirely baffled any hon. Gentleman who might have a notice on the paper for half past four o'clock on Fridays, and who, but for them, would have a fair start at that hour.

SIR HENRY WILLOUGHBY said, the difficulty would be removed by merely taking care that there should be due notice when it was intended that there should be a morning sitting. That appeared to be the only thing wanting in the case, and the only thing now complained of was that due notice had not been given.

Motion, by leave, *withdrawn.*

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. Hennessey

ENDOWED CHARITIES.

OBSERVATIONS.

MR. GRANT DUFF said: Sir, I would not ask the attention of the House to the subject of endowed charities upon this occasion, were it not that the point of view from which I wish it to look at them is totally different from that to which it has been of late accustomed. I wish it to look at a certain portion of the endowed charities of this country, not as a subject for taxation, but for reformation. I wish to point out the enormous and most melancholy waste of power which arises from our not making the best use of those vast revenues, which the piety, or the vanity, or the enlightenment of our forefathers has scattered broadcast over almost all those parts of England which were tolerably populous and prosperous in the sixteenth and seventeenth centuries. This waste of power, Sir, is all the more to be deplored, because it reduces the funds at our command for educational purposes almost to a level with countries over which the storm of revolution swept at the end of last century. In these countries, the kind of endowments of which I speak have generally ceased to exist; with us they continue to exist, but have become well-nigh useless. My object, Sir, in putting, some months ago, my notice upon the order book, with a view of bringing it on before going into the Educational Estimates, was to press upon the House what seems to me the very wise and statesmanlike proposal of the Education Commissioners who reported in 1861. That proposal, if carried out, will, I feel, at once diminish the sum which we vote for elementary education upon the Estimates, and will very greatly improve alike our elementary and our middle class education. In order, Sir, that I may impart into the few remarks which I wish to make as few facts which may be gainsaid as possible, I will make use of no instances of abuse of charities except those which are to be found in the Report of the Commissioners themselves, or in the Report made to them by their very able and zealous assistant, Mr. Cumin, which has been published under their authority. There are some most flagrant cases of abuse of charitable foundations, which I had marked for especial notice; but the country has recently, I need not say how, become so well acquainted with them, that it will be unnecessary for me to say a word about the Coventry charities, or about

Lovejoy's charity, or about that charity which has damned to everlasting fame the name and the folly of "Old Jarvis." It is more than probable that many hon. Members who have not given special attention to this subject have a very inadequate idea of the enormous amount of our endowed charities. The following sentences from the Report of the Commissioners of 1861 may, then, give them some idea of the magnitude of the interests which are being compromised by our present system, or want of system, in our charity administration:—

> "The aggregate income of all the charities of England and Wales, educational, 'for the poor,' and for specific objects of other kinds, was in 1818-1837, £1,209,395. To this is to be added about one-fifth for subsequent increase of value. The Charity Commissioners had also, up to 1856, ascertained and registered the particulars of more than 3,000 charities of all descriptions, which had either been founded since the Report of the Commissioners of Inquiry, or had escaped their notice."

Our endowed charities fall for the most part into six great classes:—(1.) Endowments now applicable to education; (2.) Loan Charities; (3.) Dole Charities; (4.) Miscellaneous Charities, which have become impossible of execution; (5.) Apprenticeship Charities; and (6.) Alms Houses. I shall have a little to say of each of these in their order. The charities now applicable to educational purposes are of three kinds:—Classical schools, schools which are not classical, and endowments set apart for educating a certain number of children. In all these three classes great abuses prevail, and few indeed of them are doing as much for the public service as they ought to do. To make only a selection:—In the first place, for these vices, parents are aided by them in educating, clothing, and maintaining their children to a greater extent than is necessary. The leading case of abuse in this respect, is Christ's Hospital, where, amongst other things, £5,104 per annum is thrown away upon dressing the unfortunate boys in a mountebank costume; that is to say, the means of educating a thousand more boys is squandered. Christ's Hospital, however, is merely one amongst many. A long list of similar schools—orange, blue, grey, and I do not know what, is given in Mr. Cumin's Report. One of the most ridiculous of these is Worrell's School, in the parish of St. Giles, Cripplegate, the boys of which are known, from their remarkable costume, as "yellowhammers." Of this costume no one has a good word to say but the rector, who thinks that any objection to it is overweighed by its picturesque appearance in church, and by the fact that it is a visible commemoration of a great event in national history. I do not wish to detain the House, otherwise I could read cases of this, which I have called the first vice of our endowed schools, gathered together from all England. For Mr. Cumin has collected some twenty cases for the Commissioners, and for us; but his Report is or ought to be in all our hands, and so it may be enough to refer to it. The second great vice of endowed schools is, that they very often do not supply the kind of education which is wanted. There are many cases in which these schools are quite, or almost empty, because they offer only a classical education, and there is no demand for a classical education in the places with which they are connected. This vice is profusely illustrated in Mr. Cumin's Report. A third vice in our educational charities is the small amount of the little rent-charges which are often devoted to the educating one or more children. They are so small as to be practically useless; whereas, if they could be combined, they might often be made very useful. Then the masters of our endowed schools are often very incompetent, and there is no proper inspection. The whole of them, in short, require to be overhauled. But this is not all; there are in the country many other charities, not originally intended for educational purposes, which might, with great advantage to the poor, be wholly or partially employed for their education. First, then, Sir, we have the loan charities, the amount of which is very large, though not accurately ascertained, and with regard to which the Assistant Commissioner says, that so far as he is able to ascertain, the loans do little, if any good. Some of them appear to be mismanaged, while others have large sums lying in bank, which they are unable to use, for want of applications. Then come dole charities, representing an income of £200,000 a year, which is frittered away for purposes almost always useless, and generally mischievous. To this class belongs the charity of the immortal Jarvis; and the Smith charity, which is devoted to pauperizing the Smiths; and the Guy charity, which is devoted to pauperizing the Guys. On these I will not dwell longer; but surely, while still keeping them for the poor, they might be so employed as to aid the education of the poor. Next, there is a large class of charities, the objects of which have become impossible of execution. Thus a tobacconist left a field, with directions that the rental should be held in trust to supply six poor women with snuff at Barthelemy tide. The field became valuable building land. If all the revenue had been devoted to buying snuff, the old women would have been buried in it. Should not this, which is only one absurd case taken out of many, be dealt with by the Legislature in a comprehensive measure, and the revenue no longer wanted for snuff applied, either to improve the quality and quantity of our education, or to diminish the Parliamentary grant, instead of being dealt with by Court of Chancery under the doctrine of *ci-pres ?* Another flagrant case, to which the same remarks apply, is that of the Society for the Relief of Insolvent Debtors, where, under a very recent Act of Parliament, a few gentlemen have now the power to devote to any charitable purposes they please the income arising from a capital of more £100,000. Another thoroughly bad class of charities are the Apprenticeship Charities. Will the House believe that not less than £50,000 a year is devoted to this purpose ? This kind of charity is not only useless, but positively detrimental, because good workmen are not tempted by the small premiums which are given, and bad workmen are tempted to take boys into their service. The whole might be devoted to the direct encouragement of education, and taken in aid of the Parliamentary grant for pupil teachers, without the slightest injustice to anybody ; or might be used as prizes in the nature of exhibitions to be given to the best scholars in the districts to which the Apprenticeship Charities are now attached, prizes in the nature of exhibitions, intended to enable clever and deserving children to remain longer at school than the necessities of their parents might otherwise permit them to do. Then there are Alms Houses, with which the Commissioners of 1861 do not propose to deal. Perhaps they are right, but many of them are so badly managed that they do nothing but harm, and I fear too often the only persons who profit by them are often people who, under the title of masters, laugh and grow fat upon comfortable sinecures. We have seen the gross annual income of these charities, and we can compare it with the amount of the educational Vote which lies before us. Let us look at them now in another way. Let us take the case of three counties, Bedford, Middlesex, and Lancashire, and see what large grants are made for their education by Parliament in spite of the numbers andwealth of their charitable foundations. The annual income of the Bedford charities in 1859 amounted to £13,720 15*s.* 6*d.* Yet the county of Bedford received from 1833 to 1859 a sum of £18,388 11*s.* 8*d.* in aid of its elementary education. The charities of Middlesex, including London and Westminster, amounted to £303,151 13*s.* 1*d.* per annum. Yet Middlesex, including London and Westminster, received from 1833 to 1859, £296,570 0*s.* 4½*d.* from the lavish bounty of Parliament. The income of the Lancashire charities is £35,322 9*s.* 1*d.* ; yet Lancashire received, during the same period, £386,539 7*s.* 5½*d.* The annual amounts which I mention are those of all endowed charities taken together in Bedford, Middlesex, and Lancashire respectively. But these three counties possessed an annual revenue of £1,985 12*s.* 10*d.*, £81,682 5*s.* 8*d.*, and £19,459 13*s.* 11*d.* respectively, belonging exclusively to charities which are even now treated as educational charities. And yet, in spite of all these funds, which, if tolerably regulated, ought to be amply sufficient, enormous sums were yearly drawn from the public to fill the void which is caused by local mismanagement and want of central direction. In the words of Mr. Cumin—

> " One year's income of the Middlesex Charities, including London and Westminster, exceeds all the grants towards education in the same county during the last twenty-six years. Eighteen months' income of the Bedford Charities would have supplied all the grants towards education made to the same county during twenty-six years. In the wealthy county of Lancashire, which has received most money from the Education Grant—a sum, in fact, of £386,539 within the last twenty-six years—it seems that, according to the digest, the charities amount to £35,222 per annum. But large as the Government grant is, it would have been covered by applying to education less than half the annual income of the charities."

It is no part, Sir, of my object to go in detail into the question of the best remedy for the evils which I have pointed out. I have merely wished to call the attention of the House to the existence of great evils, and, above all, of great waste ; to press upon it the recommendation of the Commission of 1861, to re-invigorate the Charity Commission by connecting it with a department of the Privy Council, and making the Committee of Council on Education the Committee on Education and Charities. Since I put my notice on the paper, Government has shown itself not unwilling to deal with the question, and I sincerely trust that it will ere long bring forward some comprehensive measure upon this most important subject. There will be much opposition from two quarters—from those whose interests or fancied interests will suffer, and from those whose bugbear is centralization. Against the first, a Government will be sure to prevail, if once the honest opinion of the country is certainly on its side. With regard to the second, I submit, that although too much centralization is a very bad thing, too little centralization is just as bad. Let those whose bugbear is centralization go and preach decentralization in Paris, where a single man controls, by touching the wire of the telegraph, all the public functionaries, and all the newspapers from the Pyrenees to the Belgian frontier; let them go and preach centralization in Vienna, where M. Schmerling is perilling the splendid constitutional experiment which Austria is now making by too much neglecting the traditions of local liberties; but let them not run away with the idea that centralization is necessarily an evil in a country where no step can be taken in that direction without encountering an opposition which it will be utterly unable to surmount unless the reason of the country is convinced, and where a long practice of constitutional Government has made each Minister wise enough to remember that his successor will probably be his enemy. On a former occasion, when I had the honour to propose the appointment of a Royal Commission to inquire into our public and endowed schools, the Government met me half-way, and appointed a Commission to inquire into our public schools. I cannot expect them to go so far in this case, because it may be doubted whether public opinion on the subject to which I have now called attention is altogether matured; but I trust the right hon. Gentleman who sits below me will say a little on the subject, in order that we may know that the enlightened opinions which we heard some weeks ago were not those of only one member of the Government, however eminent.

REPORTS OF INSPECTORS OF SCHOOLS.—QUESTION.

Mr. W. E. FORSTER said, he wished to ask the Vice President of the Council of Education, Upon what conditions he intends to allow the publication of the Reports of Her Majesty's Inspectors of Schools for the information of the House. As far as he could gather from the reply given to the right hon. Baronet the Member for Droitwitch (Sir John Pakington) in the early part of the Session, the plan his right hon. Friend intended to act upon was to suppress everything in the Reports which did not coincide with his own views, and to publish only what he himself approved. Many Members held that, to save expense, as few Reports as possible should be published; but the present question was not at all one of expense. The printing of the Inspectors' Reports in a complete form would add only in an inappreciable degree to the expense of the blue-book. It had been deemed desirable by the House and the Government that the results of the experience of the Inspectors should not be confined to the Education Office, but should be communicated to Parliament. That had been the usual practice, until the right hon. Gentleman the Member for Staffordshire (Mr. Adderley), when Vice President, formed the opinion that the Reports were rather redundant, and contained irrelevant matter. He accordingly issued instructions to the Inspectors to divide their Reports into different heads, selections from which were to be given in the blue-book. At that time, the right hon. Gentlemen who now sat on the Government side of the House sat on the benches opposite, and thought it very important that the House should receive the information furnished by the Inspectors exactly as they gave it to the office. His right hon. Friend the Chief Commissioner of Works moved that the Reports should be laid on the table of the House unaltered and unabridged. There was a debate on the subject, in which the noble Viscount, the President of the Board of Trade, and other Members of the present Government supported the Motion, and the result was that the right hon. Gentleman opposite (Mr. Adderley) gave way, and issued a circular in which he expressly requested the Inspectors, after giving a statement of the condition of their schools, to add any practical suggestions which their experience furnished. Last year, however, his right hon. Friend effected a great change, not only in the conditions of the grant, but in the mode in which the Inspectors conducted their examination of the schools. That was just one of those measures on which the House would desire to have practical information; but, at the very same time, the right hon. Gentleman issued a Minute which had never been published, but the sense of which, as he gathered from the reply to the right hon. Baronet the Member for Droitwich, was, that if a Report contained anything of which the Vice President disapproved, it was to be sent back to the author for revision; and if after that it still contained matter which was objected to, it was not to be published. Now, in Yorkshire they had one of the ablest and most experienced of the Inspectors—Mr. Watkins—of whom a very high opinion was entertained in that part of the country, and whose Reports, he was sure, were all very valuable. Last year Mr. Watkins sent in a Report, which was returned to him to be altered; and as he declined to do so, the Report was not published. The Reports of two other Inspectors for last year were also suppressed; and he had heard that this year the Reports of Mr. Watkins and of two other gentlemen were to share a similar fate. In his opinion the House had also a right to complain that the blue-book had not been presented before they were called on to vote the money. There was no reason whatever for any delay, because the Inspectors were instructed to make up their accounts and send in their Reports in January. If the blue-book was to be of any use to Members, it ought to be delivered before they passed the Estimates. He doubted, however, whether, under the peculiar management of his right hon. Friend the Vice President, the Reports would be of much value to the House, because they would either contain no opinions at all, or opinions all on one side of the case. He should, however, like to see the Report of the Committee of Council, and the Minute containing instructions to the Inspectors, the existence of which he should have hesitated to believe but for the right hon. Gentleman's statement to the right hon. Member for Droitwich. The right hon. Gentleman's reason why Mr. Watkins's Report was not printed was because it contained "controversial matter." He supposed that the House was not to infer that that meant polemical matter. He had never seen the Report, but he could not suppose that Mr. Watkins would do last year what he had never done before. No, Mr. Watkins's crime was that he had been so irreverent and blasphemous as to controvert opinions of the Vice President. What he wanted, then, was—first, the information, unaltered and abridged, which Mr. Watkins had communicated; and second, an interpretation of what his right hon. Friend meant by "controversial matter." This was really a much more serious question than it at first appeared. It was not a question between the Council and the Inspectors, but between the Council and the House. The Reports were worth nothing unless they contained a full and complete expression of the opinions and experience of the Inspectors for the information of the House, and he held that they ought to be produced in that form. He hoped the right hon. Gentleman would now consent to publish the unabridged Reports. The House ought to be allowed to judge for itself. If the Reports were not such as should be placed before the public, the right hon. Gentleman would stand acquitted; but if they were practical suggestions by able and experienced men, the House would derive considerable advantage from them in discussing the Education Estimates.

Mr. LOWE: Sir, I agree with the hon. Gentleman in thinking that this is a matter of considerable importance. It amounts to this—whether in the Education Department there shall or shall not be that discipline which exists, and is found necessary, in every other Department of the State. The facts may be briefly stated—The Inspectors of Schools report to the Council Office, and the Council Office, having received their Reports, is to judge whether or not it is expedient to lay them before Parliament, printed as an appendix to its own Report. The hon. Gentleman asked me on what conditions I propose to exercise that discretion, and he said, that according to the present mode of dealing with them, the Reports of the Inspectors are "cooked." Now the fact is, as appears from his own statement, that they are not "cooked," but are sent back to the Inspectors for alteration and correction. The Council Office declines to interfere with them.

Mr. W. E. FORSTER explained that he did not mean to convey the impression that the Reports were "cooked." What he intended to say was, that the blue-book was "cooked"—as containing nothing but one-sided statements.

Mr. LOWE: The blue-book contains the Reports, and the Reports, says the hon. Gentleman, are not "cooked." How does the cookery get into the book? Of course, I may not be able to give a very definite or satisfactory answer to the hon. Gentleman, but I shall give the best I can. It was in my time that the Minute was made to which he has alluded, and which declares that the Reports of the Inspectors ought to be confined to the state of the schools examined by them, and to practical suggestions for their improvement. That was no new doctrine, but was the result we drew from an examination of a great number of instructions issued by our predecessors. We accompanied that Minute with a statement to the effect, that if it appeared to us that a Report did not conform to the prescribed conditions, we should send it back to the Inspector, requesting him to make the necessary alterations. The hon. Gentleman will doubtless say, "Why not point out to the Inspector the parts to which you object?" That is an open question; but the reason why we have not acted thus is because we found, when we did point out the objectionable parts of the Reports, that we got into controversy with the Inspectors, who naturally defended what they had written, and refused to make the requisite corrections. They said that what we required was garbling, or, as the hon. Gentleman calls it, "cooking" their Reports. We therefore thought it best to send the Reports back without remark, leaving the Inspectors, who are gentlemen of great intelligence, and who know perfectly well what we mean, to make the necessary alterations themselves; but intimating that if the Reports were not made to conform to our Minute, we should not lay them before Parliament. That is the practice which has prevailed for the last two years. The hon. Gentleman represents me as saying in effect, that if the Inspectors agree with me, I will print their Reports, but not otherwise. I need hardly say that there is nothing of the kind in our Minute. I am afraid I cannot lay down any exact conditions under which we may think it proper to print the Reports; but I can tell the hon. Gentleman some cases in which we do not think it right that the Reports should be laid before the public. We do not think it proper to print and lay before the public a Report in which the writer states that the rural population of England are in the lowest state of vice and depravity, and that this is owing to their being of the Protestant religion. Nor do we think it proper to publish the Report of an Inspector who says, "I am not allowed to go into the discussion of matters on which your Lordships have made Minutes, but I may tell you what I constantly hear in my district; they say—" and then follows everything that could be advanced injurious to the policy of the Department. I do not say that these matters are not open to controversy, but I hold it to be almost impossible to work any Department of State unless those gentlemen who fill subordinate offices in it, and on whose assistance the chiefs must rely, are loyal to the Department. They are not to surrender their opinions, to which they have as much right as any other persons in the world; and, indeed, their opinions may be more valuable than those of the men whom accident may have made their superiors in office—but, at any rate, they should maintain silence if they cannot agree with the heads of their Department. No person will say that subordinates ought to be allowed to write controversial letters in the newspaper disputing the policy of their superiors. So with respect to official Reports laid before this House. I hold that it is the clear duty of every Department to prevent the writers of Reports from entering into controversy as to matters decided upon by the chiefs of the Office—in other words, as to the policy of the Department. It is also the duty of every Department to prevent these gentlemen from entering into arguments in support of its policy. If the one is to be excluded, the other should be excluded also. Such Reports—Reports, for example, in which you find something like this—"I know I ought not to go into these questions; but if I had been permitted to do so, I should have said" so and so, giving a long string of objections to the existing system—are not fit to be laid before the public. That is the view upon which we have acted with respect to the Reports made to us. If the House chooses to say that the Inspectors are to report directly to it, of course we shall instruct them to obey the order; but if the Reports are to pass through our hands, I hold it to be the first principle of official duty to enforce that sort of reticence and reserve which all official men are bound to practise. Men do not necessarily agree in opinion because they act together. They reserve those opinions on which they do not agree; and no public Department, but particularly one which has a most difficult and even invidious duty to perform, can be expected to carry on its operations with success, if it is to be obliged to print controversies maintained against itself by the very persons whom it employs to carry out the objects intrusted to its charge.

I come now to the Question of the hon.

Member for Elgin (Mr. Grant Duff). I have no doubt the case he has stated is true in all its outlines, and rests upon evidence that cannot be refuted; but I cannot agree with the hon. Gentleman when he says he thinks that the proposal of the Commissioners on Education, with respect to the mode of dealing with charities, ought to be adopted. That proposal is, that charities ought to be handed over to the Committee of Council for Education, who should decide on all matters connected with them, subject to an appeal to another Committee of Council. I will not insist on the great anomaly of an appeal from one Committee of the Privy Council to another, but it appears to me that the Commissioners concluded rather hastily that a necessity existed for disturbing the present arrangement. I am one of the Charity Commissioners, and I have no hesitation in saying that a more excellent or a more efficient tribunal does not exist. I can make that assertion without any breach of good taste, because I have no part in their decisions, being merely the medium of communication between them and the House of Commons. They have effected, and are effecting, immense improvements, and I cannot understand, no case being made against them, why those powers which they are using with so much discretion should be taken out of their hands. I think, further, that it would be most objectionable to arm any political Department with such powers. That would be placing in its hands an immense amount of local influence, and it would be quite impossible to escape the suspicion of partiality and corruption. When trustees have to be elected for a charity, there is sure to be a contest between the Whig and Tory parties, and how could a Department composed of gentlemen belonging to one or other of these great parties give anything like satisfaction? It appears to me, with every respect to the Commissioners, that their recommendation was ill-considered. The hon. Gentleman asked me whether I could throw out any suggestions on this subject. Let me offer some suggestions in the direction of improving and strengthening the machinery we already possess. In 1860 a Bill was passed for extending the jurisdiction of the Charity Commissioners. It has been attended with beneficial results; but I was obliged to omit a few things which would enormously increase their power of doing good. One is that the Commissioners should be allowed to intervene in the affairs of a charity, even though no inhabitant of the parish calls upon them to do so. The very cases which require interference most are in parishes where the people are so debauched, and so mixed up with the plunder of the charity, that not one of them will come forward and demand the assistance of the Commissioners. Let me suggest another improvement. It is now the law that the Commissioners can only intervene in the affair of a charity above £50 when they are applied to by a majority of the trustees. It is often very difficult to get a majority of trustees. I think that in such cases they should be permitted to act, unless expressly forbidden by a majority of the trustees. Again, the 14th section of the Act of 1860 allows a majority of the trustees to dismiss the schoolmaster, except in the case of a grammar school. If that exception were done away with, much litigation would be prevented. As to the charities themselves, it appears to me, upon the principles which regulate all kinds of property in this country, that it would be desirable to allow greater liberty to the Court of Chancery, after a certain period, to take cognizance of these matters. It seems to me desirable that not only the Charity Commissioners, but also the Court of Chancery, should have greater liberty in dealing with public bequests after a certain period had elapsed, and that in this respect charitable bequests should be put upon the same footing as private bequests. There should also be a larger power of dealing with charities for which no one has a word to say. If anything is done, it should be in the direction of strengthening the existing machinery. With regard to educational charities, with which I feel more particularly concerned, I cannot wish very much that the number of endowed charities for the education of the poor were increased; for they seem to me very inefficient for their object, and to be likely to continue so It appears to me that the State has undertaken, by founding an Educational Department, to endow poor schools in the best way in which that can be done, if it is done at all—namely, by giving money only in exchange for efficiency as tested by examination and other means. It is precisely in that point that all endowed charities are deficient. Whether they are well or ill-conducted, they receive their money just the same. I may here mention that an alteration has been lately made by the Committee of Council in this respect. Heretofore it has been the practice in making grants to schools to take no notice at all of their endowments, and to apportion them their share of the grant wholly irrespective of their endowments. That has very often led to great mischief and waste, because grants were given to schools which were already possessed of abundant resources. A new regulation has therefore been adopted, by which, wherever a school has an endowment, the amount of such endowment is subtracted from the amount of the grant. By that means endowments will be applied in aid of the educational grant; and that is the utmost we can accomplish with our present powers.

MR. WALTER: I confess, Sir, that I am more struck with the courage than with the discretion of my right hon. Friend in vindicating the course which the Committee of Privy Council on Education has thought proper to adopt in regard to the Inspectors of Schools. I think that that course is an extremely invidious one, and that it must necessarily detract largely from the weight due to the Reports made to this House. Indeed, I cannot see the use of those Reports unless they afford us information on which we can rely, bearing upon a difficult question which from time to time comes under our discussion. The Department of Education has thought proper to adopt certain arrangements for carrying on the educational system of the country. Some of those arrangements I hold to be extremely impolitic and unjust. I wish to know how they work; and where are we to look for information on that point, except in the Reports of the Inspectors? I happen to know that some of the Inspectors agree with me, and do not agree with my right hon. Friend. I want to ascertain, for example, how the pupil teacher system works. My right hon. Friend says that the Department has determined on certain principles, and that the Inspectors have no right to inquire into them or call them in question. But I am anxious to know from gentlemen of experience, who have the best opportunity of seeing and judging of the practical operation of those principles, how they actually do work; for it is by that means only that we can get at the truth. I happen to know that the Reports of several of the Inspectors have been so garbled by the Education Office that when presented to this House, if they are to be presented, and I believe they will not, they would be quite worthless. But where, I repeat, are we to look for information to guide us, if not to the Reports of these experienced gentlemen? Certainly, if my hon. Friend the Member for Bradford (Mr. W. E. Forster) moves on a future occasion for the production of the Inspectors' Reports as sent in to the Committee of Privy Council, I shall give him my hearty support, and I trust the House will agree to that Motion. If any body will compare the Reports of the Inspectors as now laid before the House with those of the gentlemen on whose Reports the Report of the Royal Commissioners was founded, they will perceive a marked difference between the two. The Inspectors sent out by the Royal Commissioners, at all events, spoke the truth as it presented itself to their own minds. They complained of many things in the system of the Privy Council; Mr. Frazer, in particular, pointed out the preposterous length to which some of the Privy Council regulations were pushed. He showed that no school was allowed to receive the grant in which the desks were not of a particular pattern—namely, parallel desks—a restriction altogether absurd and ridiculous. That was the opinion formed by Mr. Frazer, after much experience. He also arrived at the conclusion that the masters' certificate was not necessary to be enforced. There are many points of that kind which these gentlemen, in making their Reports, lay before the Royal Commissioners; and those Reports are valuable precisely because the men who drew them up were perfectly free to express their own opinions. But if the Reports of School Inspectors are to be suppressed whenever they happen to be distasteful to the feelings or unfavourable to the policy of the Privy Council Office, they will not be worth a farthing; and it is mere playing with this House, and presuming upon its ignorance, to lay them before it. I trust, therefore, that the House will express itself so strongly on this matter that these Reports will not in future be kept back or tampered with, but that we shall be permitted to know, upon the authority of gentlemen most competent to judge, how the present system is really working.

MR. ADDERLEY presumed that the object of having Reports from the Inspectors of Schools year by year was that they might know the condition of the schools for which they voted public money. He must confess, that for years before he had the honour of holding office in the Education Department he thought the School Inspectors had made Reports full of most irrelevant matter, often almost degenerating into abstract disquisitions on the theory of Education, instead of giving an account of the condition of the schools to which public money was applied. He had therefore attempted to correct the character of the Reports by laying down a rule that they should be arranged under different heads, about five in number—such as the state of the school buildings, the state of education in the schools, the school apparatus; and the last head was a general one—namely, any suggestions which the Inspector wished to make. That proposal of his was brought under discussion in that House, when the House evidently thought it would be better not to lay down rules for shaping Reports in the office; and therefore he abandoned his proposition for reducing them under specific heads; but he distinctly retained for the Department the power—which he felt it not only his right, but his duty to do—of striking out of the Reports, notwithstanding that expression of the House's opinion, what appeared to be irrelevant matter, and such contents as were clearly not of the nature of a Report. The right hon. Gentleman (Mr. Lowe) sought to make the Inspectors the censors of their own Reports. Whether that plan was better than his he would not undertake to say; but the two plans had the same object—namely, to confine the Inspectors to a statement of the condition of the schools, and relevant suggestions about them. The House now seemed to take exception to the right hon. Gentleman's speech, having apparently understood his remark, that the Inspectors had no business to enter into controversy with the office, to imply that he meant they had no right to impugn his policy. For himself, he still was of opinion that it was not the province of the Inspectors to enter into controversy on the theory of education or on the policy of the Government. The Minister who had the conduct of the Department was responsible to that House, which had laid down the general rules for his guidance, and intrusted the Department with by-legislation subject to their sanction. The School Inspectors were not responsible to that House, and their office was simply to inform the Department how their grants were being applied. It was natural, perhaps, that gentlemen of such high mental calibre and attainments as those Inspectors should travel a little beyond the sphere of the humble duty assigned them by the Department, and when they had the opportunity should indulge in the display of their powers to deal with the philosophy of education; but it was distinctly incumbent on the Minister to prevent the abuse of that opportunity. Would the hon. Member for Bradford (Mr. Forster) say, that if an Inspector sent in, under the disguise of a Report, what was really a pamphlet on Education, it was the duty of the Vice President of the Committee of Privy Council to publish that pamphlet at the public expense and lay it on the table? [Mr. W. E. FORSTER expressed dissent.] If, then, the hon. Gentleman would not lay down broadly the proposition that these Reports should not be revised by the Office in order that irrelevant matter might be expunged, the simple question remaining was, whether in any specific case the right hon. Gentleman had not gone beyond that length, and struck out of any Report sent to him what he ought not to have struck out. It was a specific and not a general question that was before the House. Instead, therefore, of laying down a general proposition which would be disadvantageous to the public service, let the hon. Member move for the particular Report in regard to which he maintained that a too strigent censorship had been exercised. That was the legitimate way for the hon. Member to proceed, and he concluded that the right hon. Gentleman (Mr. Lowe) would not resist the Motion, and then the House would be able to judge whether or not the right hon. Gentleman had exercised a wise discretion.

LORD ROBERT CECIL said, that unfortunately there appeared to be a natural antipathy between the Vice President and Inspectors. He thought the right hon. Gentleman who had just sat down had given the weight of his authority to mislead the House as to the question before it. Nobody had said that Inspectors were to be allowed to put in their Reports just what they liked. All they objected to was that the Vice President should constitute himself, or force the Inspectors to constitute themselves, censors of their Reports, for the purpose of keeping out, not philosophical disquisitions, not matters which were totally irrelevant, but matters which were disagreeable to the Minister of the day. The Vice President had talked about the necessity of loyalty to the Department, and about not allowing subordinates to enter into discussion with the

Department on delicate subjects; but there was one thing more important than loyalty to a Department, and that was loyalty to the House of Commons. This arrangement, by which the Inspectors were bound in every case to back up the Vice President, by which they were forbidden to say anything to which he might object, or in any way to condemn the policy to which he had pledged himself, seemed to him to be nothing less than a conspiracy for keeping truth from the House of Commons. The Vice President had no independent interest in the matter; he held his office merely to carry out the principles of which the House approved; and he came forward and said that he had a right to intercept, in its way to the House, the evidence on which they were to judge of his policy. A more—courageous it had been said, but he must say outrageous—proposition had never been submitted to them. It was perfectly right that discipline should be maintained in the Education Office as in other public offices, but it should be maintained in the same way. He did not object to discipline, but he objected to the instrument by which discipline was to be carried out in this case. The right hon. Gentleman appeared to imagine that the Inspectors wrote their Reports, not for the instruction of the House, but for their own personal pleasure; and that if an Inspector did wrong, the way to punish him was to keep his Report from the eyes of Members. But conceive the application of such a rule to the other Departments of the Government. The right hon. Gentleman had challenged a comparison. Well, take the Foreign Office. Suppose a Consul at Aleppo, Belgrade, or Constantinople had done anything to displease the noble Lord at the head of the Government, would it not be thought an extraordinary answer, if, when the Consul's despatches were moved for, they should be told that the Consul had been a naughty boy, and that it was impossible to lay his despatches before the House. Papers were written for the instruction of hon. Members, and not for the amusement of the persons who wrote them; and if the right hon. Gentleman was anxious to practice severe discipline with those under his charge, he must find some way of doing it other than that of keeping from the House information which the House required. It was worthy of remark that this difficulty had not arisen before. They had had two or three Vice Presidents, and the system of Inspectors had been in existence twenty years, but never before had there been any necessity to suppress the opinions of Inspectors. [Mr. LOWE: The necessity has arisen very often.] At all events, it has not been acted upon. [Mr. LOWE: Yes it has.] Then the right hon. Gentleman would have an opportunity, through one of his Colleagues, of stating the facts to which his interruption referred; but he doubted very much whether any previous Vice President had ever dared to mutilate a Report presented to the House, because it contained expressions hostile to his own policy. He could only remember one analogous case—that of the noble Viscount mutilating or suppressing despatches relating to Affghanistan; and he doubted whether among the noble Viscount's titles to fame that would take a very prominent place. He wanted the House to bear in mind how the conflict had arisen. The right hon. Gentleman was an eccentric theorist; the Inspectors, being practical men, were obliged, in the execution of their duty, to report facts at variance with the right hon. Gentleman's theories. That was the reason why the difficulty had arisen. Previous Vice Presidents had not been theorists, and they had not quarrelled with their Inspectors. If they found the head of an Office, not brought up in it, systematically quarrelling with those in it, they might safely conclude that there was something wrong; and when practice and theory were so openly at variance, it was most probable that the theory was to be condemned. The right hon. Gentleman had not alluded to a missive recently directed against the Inspectors. The Inspectors were men of education and high standing, and they were paid high salaries. This made them inconveniently independent men, who would not report what the Vice President desired. They would hold opinions of their own, and these opinions were disagreeable to the Vice President. It was therefore deemed desirable, if possible, to substitute for them a more dependent class of men. The right hon. Gentleman, fully alive to the necessities of his own position, had issued a Minute to constitute a set of assistant Inspectors—of men who had been pupil-teachers, who were to be paid only £100 a year, and who were to be intrusted with the power of sitting in judgment upon the managers of schools in the country, and of deciding whether they had conducted the schools in such a way as to deserve the continuation of the grant from the Treasury. These assistant Inspectors, however efficient they might be, he need not tell the House, would be more humble slaves to the Vice President than the Inspectors. He did not know whether these assistant Inspectors were to send in Reports, but the decision whether the schools should receive the Parliamentary grants or not was to be committed to men who were to receive £100 a year, and who themselves had been pupil-teachers in the schools which they were called upon to examine. It was a serious degradation of the office of Inspector, and a still more serious degradation to which the conductors of schools would have to submit. It was all a part of the bureaucratic plan of the Vice President, by which he hoped to master his own office, so that when he appeared before Parliament there should be no one to bear testimony against him, and all the information for the guidance of the House should be percolated through himself, to the exclusion of all that was disagreeable or discordant to his views. He trusted the hon. Gentleman (Mr. W. E. Forster) would take an early opportunity of moving for the Reports, so that they might have a definite issue before them.

Mr. CHILDERS said, it would be much to be regretted if the statements made that evening should lead to a recurrence of what was a great evil some years ago—namely, the inordinate length of the reports of the Inspectors of Schools. Having, for several years, carefully looked at these Reports, he knew that as far as the convenience of Members was concerned, a great improvement had been effected, and, instead of a large mass of verbiage, Members had the views of the Inspectors submitted to their consideration in a clear and concise form. He had the highest opinion of Mr. Watkins, and he believed Mr. Watkins had done much for the cause of education, but he was a special offender in this respect. He found that in three years taken at random, the length of his Reports was respectively 78 pages, 84 pages, and 92 pages; while the average length of the reports of the other Inspectors in the same period was only 50 pages, and one most valuable Report did not exceed 40 pages. On the other hand, however, he hoped the right hon. Gentleman (the Vice President) would not persevere in his intention to refuse the House an opportunity of seeing what the views of the Inspectors were on the controverted questions which it had to decide. If he did, the Reports would be looked upon as garbled, and the very object he had in view would not be accomplished. He would suggest that the right hon. Gentleman should say to the Inspectors, not "I will refuse to print your reports," but "I object to your going into long arguments and disquisitions upon matters about which the House does not want you to report." What the House wanted to know was the results of their experience as to the working of the present law, the requirements of the particular districts visited, and the recommendations which they deemed necessary to make for improvements in the system.

Mr. FERRAND understood the right hon. Gentleman (the Vice President) to say that the Charity Commissioners possessed the confidence of the people, and that they should have larger powers on account of the power generally brought to bear in the election of trustees. In his own town he could answer for it that they had appointed trustees of a charity without any political bias. The right hon. Gentleman said that the Charity Commissioners should have more power in consequence of the political bias which existed throughout the country; but, in truth, it was the political bias of the Charity Commissioners themselves which had given such offence to the country. He had always looked upon the Charity Commission as a gross Whig job, and he believed that there was not a single Commissioner, assistant Commissioner, or other official connected with it who was not a Whig; while the vacancies which had taken place during the tenure of office of the present Government had invariably been filled up by the appointment of members of the Liberal party. That being the case, he should like to know from the Vice President of the Committee of Council how he could suppose, that if further powers were placed in the hands of the Commission, their duties could be likely to be discharged in a manner satisfactory to the country?

Mr. HENNESSY said, he had often looked into the Reports formerly published by Inspectors of Schools, and that he had been struck by the fact, that whenever an article appeared in any of the *Quarterly Reviews* on the subject of popular education, he was sure to find a reprint of the article in those Reports, and that the same statements and arguments were repeated in them year after year almost *ad nauseam.*

For his part, therefore, he thanked the right hon. Gentleman for the course which he had adopted.

MR. NEWDEGATE observed, that the hon Member for the King's County (Mr. Hennessy) seemed always to rejoice in the suppression of these Reports. At the close of the Session of 1861 he (Mr. Newdegate) complained to the House that out of three Inspectors of Roman Catholic schools the Reports of two of them were suppressed, and one only was given to the House, which one was not of a satisfactory tenour. The hon. Member (Mr. Hennessy) on that occasion declared that nothing could be more satisfactory to him than that the Vice President should keep the House in the dark on this subject. It now appeared that the same practice had been extended to the Reports of Inspectors of Schools other than Roman Catholic schools; and he really thought that the House was not justified in voting the public money upon the understanding that they were to be informed by Reports of the Inspectors, unless they had those Reports fully before them. If they were only to have one side of the question, and that the sunny side of this educational organization, presented to them, he thought that they would be better without any Reports at all, for such as were furnished would simply mislead them. It would be far better that the Vice President should give them his own account of what had been done, for then, at all events, the statement would be made on his own responsibility. He hoped that the House would represent to the right hon. Gentleman that they should find it their duty to express their opinion by a Motion and a division unless he corrected a practice which amounted to something like systematic delusion of the House. The right hon. Gentleman shielded and propped up his opinion by furnishing partial information—information that might assist his own views—whilst he suppressed those Reports which were adverse to his own opinion. This was a serious matter, considering the large sum which the House voted for education, and also considering that it was proposed to have an enlarged system of inspection; so that they would spend still more money on account of Reports which were furnished in so imperfect a manner.

Motion *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES

SUPPLY *considered* in Committee.

(In the Committee.)

(4.) Question again proposed,

"That a sum, not exceeding £28,914, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for erecting and maintaining certain Light-houses Abroad."

Whereupon Question again proposed, "That the Item of £8,000, for the Little Basses Rocks Light-ship (re-Vote), be omitted from the proposed Vote."—(*Mr. Childers.*)

MR. CHILDERS asked for some explanation of this Vote. If satisfactory details were not given in relation to the item of £8,000 for the Little Basses Rocks Light-ship, he should be compelled to take the course he had been about to press on a former occasion when the House was counted out—namely, of moving that the Vote be reduced by that amount.

MR. MILNER GIBSON said, that this sum was a re-Vote of the same amount voted last year, and which had been repaid to the Exchequer. The light-ship had arrived at Ceylon, but he did not know whether it had been actually moored or not. He knew that the ship was there, and that it must be paid for. The cause of the apparent delay in exhibiting the light from the ship was in consequence of a difficulty in securing a crew.

MR. CHILDERS said, the Government were urged from the year 1826 to erect light-houses on the Great and Little Basses Rocks, which lay on the highway of the trade between India and this country. They took twenty-two years to consider the matter, and then from 1848 to 1854 inquiries were going on as to the best plan of lighting this part of the track. A proposal was made to place light-ships there; but on inquiry this was rejected. From 1854 to 1860 the Government came forward yearly asking Votes to place light-houses on each of the rocks, and thus £54,000 was obtained, and, he believed, spent. It was now said that the attempts to place the light-houses had been made, but had failed; however, he (Mr. Childers) had received different information, and believed that no efficient steps had been taken to put up the light-houses. He thought that under the circumstances the Vote should be deferred for a year, to allow inquiries to be made.

No inconvenience would result, as the light-ship had been paid for by the Bombay Government. He begged to move that the Vote be reduced by the sum of £8,000.

Mr. AUGUSTUS SMITH supported the Amendment. There was no reason why the payment of this £8,000 should be thrown upon the taxpayers of England. Madras was the port which would benefit most by the proposed expenditure, and only 314 English ships annually left that port, as compared with 3,915 belonging to the island of Ceylon. There might have been some reason for showing consideration to the island of Ceylon at a time when its funds were not in a very flourishing state, but for the last five or six years it had enjoyed a considerable surplus revenue. He thought, therefore, there would be no hardship in making this charge fall upon Ceylon, which had by far the greatest interest in maintaining the lights.

Mr. W. WILLIAMS hoped the Government would agree to the proposition of the hon. Member for Pontefract (Mr. Childers).

Lord ROBERT MONTAGU thought that the Government were bound to answer the statements which had been made with respect to this light-ship. Last year, the House had voted a sum for the crew of the light-ship, yet no crew had been appointed—and he believed, that would be repeated this year. If they did not, he should feel bound to vote for the Amendment of the hon. Member for Pontefract.

Mr. MILNER GIBSON said, that two years ago the House sanctioned the lighting of the Little Basses Rocks by a light-ship. A proposal was made for that purpose, and a sum of £8,000 was voted to carry it out. In accordance with the authority thus given to them, the executive Government had ordered the light-ship, which had been built at Bombay, on a plan approved by the Trinity House Board. The ship was now in Ceylon, and though the Government had no information on this point, it was very probable that she had been moored in her position. The money now asked for was necessary to pay for the ship. Whether it was right to attempt to light these rocks by a light-ship, he was not competent to say; but nautical men had given their opinion that, on the whole, a light-ship was the best plan of lighting for the place. Only one light would be placed there—on the Little Basses Rock—till it was proved whether a light-ship could remain there.

Mr. Alderman SALOMONS suggested that the Government should endeavour to make Ceylon contribute to the cost of this light-ship.

Mr. CHILDERS asked, on whose advice the plan of a light-ship had been adopted.

Mr. MILNER GIBSON replied, that the advice was founded on the recommendation of a Commission of several officers, well acquainted with the coast of Ceylon, which was approved by naval officers in this country.

Mr. AUGUSTUS SMITH should like to see the Report of those officers.

Mr. MILNER GIBSON said, that the papers containing the recommendation were in the Colonial Office, and he did not suppose there would be any objection to their production.

Amendment, by leave, *withdrawn.*

Question again proposed.

Mr. AUGUSTUS SMITH called attention to the item for the erection of a light-house at the Bahamas. He wished to know what was the nature of this light-house, whether it was to be built of stone or iron? He had been informed, that if built of stone, it would cost £35,000. There were already six light-houses in the Bahamas built for this country. As the ships which would be benefited by this light were chiefly colonial and American, he thought, that if more light-houses were required, the expense should be borne by the Colony. He would therefore propose that the Vote be reduced by this item—£9,000.

Mr. W. WILLIAMS said, there was a charge for a light-house in the Ionian Islands. Now, as these islands were to be surrendered to Greece, he thought that no further liability ought to be incurred by this country for them. The item in the Vote to which he referred was £300.

Mr. MILNER GIBSON said, that hitherto we had paid for the erection of these light-houses, and as yet no alteration had been sanctioned. With regard to the Bahamas, if England did not put light-houses on the dangerous keys and rocks which surrounded those islands, nobody else could do it, as nobody else had jurisdiction in the matter. To call upon the Bahamas themselves to pay for light-houses, was out of the question, because the inhabitants were not only very poor, but had no special interest in the lights, which were for the general trade. The American Government had lighted the opposite side of the straits. This Vote had been always sanctioned, because it was felt that it was for this country to provide protection for its commerce.

MR. AUGUSTUS SMITH did not see why the Colonial Government at the Bahamas should not be obliged to maintain these light-houses. The population only amounted to 27,000; but there was an increasing revenue of £36,000. If the Government of the Bahamas could afford to lay out £18,000 on a new hotel, they could afford to spend £9,000 on these light-houses.

Motion made, and Question, "That the Item of £9,000, for the Bahamas (Elbow and Great Stirrup Cay), re-Vote, be omitted from the proposed Vote,"—(*Mr. Augustus Smith,*)—put, and *negatived.*

Original Question put, and *agreed to.*

(5.) £6,000, Sheriff Court Houses (Scotland), *agreed to.*

(6.) £19.000, to complete the sum for Rates for Government property.

MR. ALDERMAN SALOMONS rose to call attention to the Petitions presented from Deptford and Woolwich, complaining of the mode hitherto adopted in the distribution of the sum voted in aid of rates for Government property, and praying for an amended system of distribution. In 1858 a Select Committee was appointed to inquire into this subject. Sir George Lewis was chairman, and they unanimously recommended that all Government property should be liable to rates. A Bill was then introduced by the right hon. Gentleman the Member for Wiltshire (Mr. Sotheron Estcourt), who was then President of the Poor Law Board, which was read a second time, but did not proceed further. When the new Parliament met, Sir George Lewis, then Chancellor of the Exchequer, was asked what were the intentions of Government in regard to the rating of Government establishments. Sir George stated that it was not intended to bring in a Bill, but that some arrangement satisfactory to the interests concerned would be proposed. With regard to the borough which he had the honour to represent (Greenwich), a valuation of the Government property in Woolwich and Deptford was made, and the Government, after some delay, paid the poor rates on that valuation. After paying the poor rates for two years, the Government, from some motive of economy, contended that they ought only to pay that share which actually went to the relief of the poor. They consequently cut off about one-third of the poor rate, which went towards the county rate, the police, lunatic asylums, &c. The inhabitants of Woolwich thought this a great hardship, but they had no choice save to submit. The case of the parish of St. Nicholas, Deptford, was however peculiar. It was a very small parish, consisting of only seventy-five acres, of which the Government occupied about forty. The poor rates used to be 10*s.* and 12*s.* in the pound; and when the Government consented to pay the local assessments on Government property, it was felt tobe a great relief in the parish. For many years, while the Government did not pay any rates, the persons who had yards in Deptford and carried on business there were burdened in their trade by the heavy rates that fell upon them. And more than that, the rates of 10*s.* and 12*s.* in the pound had the effect of making £10 houses amount to £16; and the consequence was that artisans and workmen were driven out of the parish, and they bought their meat and drink out of the parish also. In that parish the poor rates, which in 1861 were reduced by liberal payments on the part of the Government, were now about to be increased by the paltry economy which it was sought to carry out. Her Majesty's building yard was in the parish of St. Paul, which happened to be opulent; the Government property was valued at £6,000; they paid the rates for two years, and then they found that unless the ratable property of the Government amounted to one-sixth of that of the parish they were not bound to pay. In these days, especially when property on the Thames was so valuable, it was only fair that the same rules which applied to private property should also be applied to the property of the Government. It might be said that the parish of Deptford derived great advantage from having Her Majesty's Dockyard there; but it was no advantage at all, and a greater benefit could not be done to Deptford than to remove the dockyard altogether, for then they would have wealthy shipbuilders coming there, and Deptford would become an opulent parish, instead of being almost eleemosynary as it was now, asking Her Majesty's Government to pay that portion of the rates which they ought. He would not dare to risk dividing the Committee; but he would appeal to Her Majesty's Government and to every hon. Member in the

House to take this question into consideration, for there was no reason whatever why in these days Her Majesty's Government should take possession of this property and pay no rates at all.

Mr. M'MAHON said, as the Committee had heard the representative of those who lived near the dockyard, it was only fair to hear what the representative of persons who were remote from the dockyard had to say. Now, the county he represented (Wexford) had no Government establishment; but his constituents would be glad to have one, and were willing that the Government should pay no rates in respect of it. The hon. Gentleman (Mr. Alderman Salomons) would wish to see the property of his borough made valuable by being in the possession of the Government, but that the community at large should be called upon to pay the rates. That was not very reasonable. The fact was, the Chancellor of the Exchequer and the Secretary to the Treasury were worried by deputations from Woolwich and Deptford, and good-naturedly yielded to their representations. In order to test the feeling of the Committee, and to obtain an expression of opinion on their part, he should move to strike out the Vote altogether.

Mr. WYKEHAM MARTIN could not agree with the view taken by the hon. and learned Member for Wexford. It was a mistake to suppose that a Government establishment was necessarily any benefit to a parish. In the parish of St. Margaret's, Rochester, the land which the Government held was for the defence of the country at large. Men who were there in the public service might die and leave wives and children chargeable on the rates, and the Government contributed nothing whatever. Soldiers were taken down there for the benefit of the whole country, and not of the parish, and why should not the Government contribute to the rates?

Mr. J. J. POWELL (Gloucester) said, he was surprised to hear his hon. and learned Friend (Mr. M'Mahon) argue as if the dockyards were placed in Woolwich, Deptford, and elsewhere for the benefit of those parishes, and not of the whole community. It was as much for the benefit of Wexford as for Deptford that there should be a dockyard there. It appeared to him that a strong case had been made out in favour of those places. In one parish no less than one-half of the land and one-third of the ratable value of the parish was occupied by Government offices, the whole of which was exempted from the rates. That was surely a great hardship. A Committee of the House of Commons which sat on this subject in 1858, the late Sir George Lewis being one of its Members, had reported that the non-assessment of Government property was an essential detriment to the other ratepayers, because it increased the common burden. It was very desirable, he thought, that their recommendation should be acted upon.

Mr. DOULTON said, he was sorry to say that the Government were introducing their establishments into Lambeth, removing property which had hitherto paid rates, and so very considerably prejudicing the interests of the ratepayers. The Government seemed to have adopted a very singular principle with regard to the assessment of Government property, and he hoped that they would take the matter into consideration, and would revise their present arbitrary rule.

Mr. BUTT agreed in thinking that there might be more Government establishments in Ireland; but he did not think that they ought to be exempt from local rates. The burden entailed by public establishments ought to be borne by the public.

Mr. PEEL said, the principles on which the Government acted in this matter were two. First, they maintained the principle of the exemption of Government property from local rates; but they consented to make a voluntary contribution in certain places, having reference to the proportion of Government property in the parish, and to the amount expended by the parish for the support of the poor. The parishes were divided into two classes, assisted parishes and the parishes which were not assisted, the latter being cases where the Government property was not so considerable as to establish a case of grievance which would justify the Government in coming to the relief of the local rates. The proposition of the hon. Member was that in those parishes where the Government did not grant assistance they should pay the same as they did in the other cases. It was quite true that the Committee of 1858, presided over by the late Sir George Lewis, recommended that all exemption from rating in the case of Government property should cease; but he certainly thought that the authority which would otherwise be due to the recommendation of that Committee was wanting to it—first, because the late Government brought in a Bill for the purpose of giving effect to that recommendation, but encountered so much opposition that they were compelled to withdraw the measure; and secondly, because when Sir George Lewis, the Chairman of that Committee, was afterwards at the Home Office, he suggested the very plan which they were now pursuing. In a letter to the Treasury, he recommended that the exemption of Government property from local rating should be maintained in principle, but that that exemption should not be claimed in places where the ratable value of that property exceeded a certain proportion of the whole ratable value of the parish. Afterwards, a limit was fixed of one-sixth. The proposal of Sir George Lewis was, that when this fixed proportion was exceeded, the Government should only pay upon the excess. Thus the assisted parishes now received more than was originally contemplated, because where the Government property exceeded one-sixth of the ratable value of the property of the parish, they paid not upon the excess, but upon the whole amount of Government property in such a case. He did not think that the tendency of Government establishments was to produce pauperism. Take Somerset House, for example, which occupied a large portion of St. Mary-le-Strand. It could not be said that that establishment had increased the pauperism of the parish; and even at the dockyards and arsenals, the practice of granting pensions to Government *employés* when superannuated must have the effect of preventing persons from becoming chargeable to the poor rates. It was a very exceptional thing for Government to purchase property already rated for the relief of the poor, and there erect establishments exempt from rating. In the majority of cases, the exemptions had continued for very many years, and the private property had been acquired subject to the rates being levied off part of the parish only. The hon. Gentleman said, that Government establishments were of no advantage to the parishes in which they were situated. In this statement he could by no means concur. He was convinced that the fact of the employment of a large number of persons in a Government establishment must have the effect of keeping a very considerable number of persons off the poor rates, and place at the disposal of the operatives lage sums of money, the expenditure of which was of advantage to the trade and commerce of the places where Government establishments existed. He did not think that a parish ought to derive any profit, in reference to the rates, from the existence of a Government establishment within its limits, because the Government did not go to the parish like a private person to make profit, but for the sake of the public good, in which the particular parish was as much interested as any other part of the kingdom. All that the parish was entitled to demand was that it should not be injured. The reason why no rate was paid by the Government in St. Paul's, Deptford, was because the ratable value of the Government property was not one-twentieth of the value of the other property. The ratable value of the property in that parish was £130,000, whereas the value of the Government property was under £5,000. It was said, that though the Government subscribed in some instances to the poor rate, they did not subscribe to other rates; but the fact was, that the Government took the poor rate as the measure of their contribution to the local funds. With respect to the statement that the Government had contributed at one time to the police and county rate, he must observe that the Government were not aware, in the first instance, that they were subscribing to those rates as included in the poor rate; and he certainly did not think they were called on to contribute to such rates. It must be remembered that the Government granted great assistance to the parishes in respect to the cost of the police, one fourth of the charge for which was defrayed out of Votes of Parliament; and though the hon. Member was inclined chiefly to protect the interests of his constituents, the Government looked to the interests of the taxpayers at large.

SIR FRANCIS BARING thought the case of Deptford a hard one, and deserving of a fair consideration. The Committee needed not to be alarmed by imagining that anything new was now demanded; because the Government paid certain other rates. It was not true that the exempted property had been exempt from time immemorial. There were large properties which had formerly paid rates, and which had only recently been taken by the Government. He confessed that the distinction which was drawn between one species of tax and another was to him perfectly unintelligible.

MR. AYRTON said, that this exemption from rating on the part of the Government was unjust and indefensible, as bearing upon the question of the fair adjustment of taxation, and the Government of Lord Derby introduced a Bill to abolish it; the friends of certain charities, however, made so strong an opposition to the proposal, that the Bill was withdrawn, and the Government proposed, in certain cases, to grant a contribution in aid. The principle of recognising the liability of Government property had therefore been admitted, but such rigid and arbitrary rules were laid down as, to a great extent, to nullify that recognition. In the case of Deptford there could be no doubt that the sudden reduction of the Government establishments caused great demands upon the parish rates. In 1860 the rates in the parish were 8*s.* 3*d.* in the pound and this year already they amounted to 2*s.* 11*d.* It had been thought fit tol egislate exceptionally for Lancashire, where the rates did not exceed 3*s.* in the pound. The payments which were made in respect of Government property were of a very limited amount, and none at all was granted where the Government property did not amount to one-sixth of the whole property in the parish. In a parish situate in his own borough there was a considerable property which paid a large sum for poor rates. The Government became the lessee of the property, and, objecting to be assessed, made a contract with the landlord that he should pay the rates. The consequence was, the landlord refused to pay the rates, and put the money into his pocket, to the detriment of the ratepayers. He thought the Government should not lend itself to such transactions, but should take care when leasing property to secure that that property should continue to bear the local burdens in the same manner as it had done before.

Mr. ANGERSTEIN said, that the Bill of Lord Derby had not been withdrawn on account of the opposition which it had excited; but on account of the opposition excited by one clause, and Lord Derby's Government promised to reintroduce it minus that clause. He did not think that any large amount of money was involved in this question, but besides the consideration of cost there was the consideration of justice. The right hon. Gentleman had said that almost all the Government property had been so long recognised in that character that there was no need to alarm the public by inducing them to think that the area of taxation was being diminished. But in St. Nicholas, Deptford, where the whole parish comprised sixty-six acres, two acres had recently been added to the Government property, and additions had been made in Woolwich and Plumstead. The area of taxation had also been reduced by a decision of the magistrates in sessions that officers' quarters were not subject to rating as they hitherto had been. That decision had been given after the Government assessor had been over the Government property to ascertain the quota which it ought to contribute. The payment made by the Government was now but a small contribution, and the present proposition was to still more reduce it.

Mr. M'MAHON said, he did not think, in the then state of the House, and especially of the benches of that side, that there would be any advantage in dividing, and therefore he should not press his objection. But he would remark that the case had been almost entirely argued by Members representing districts where Government establishments were located, and he regretted that more county Members were not present to express their views upon this matter. Did any one doubt, that if the Government establishments of Woolwich or Pembroke were moved to Cork, the people of that city would be quite ready to hold the Government harmless from any demand from local rates, in consideration of the advantages which would accrue to the district from these establishments? It might be that in and near London, where land was valuable, the Government establishments did not so much increase the value of surrounding property; but at Pembroke, for instance, the value of land had been enormously increased by the dockyard being made there. In the case of the parish near Rochester, which had been alluded to, he had no doubt that the value of land had risen since the Government appeared there, and consequently a corresponding benefit had attended an apparent injury. The wealth of the whole country was being poured into the metropolis, and he thought that some resistance should be offered to its demands.

Mr. PULLER thought the question should be treated on a spirit of equity and justice, and should not be left in the hands of the metropolitan Members. If a railway company raised the value of property, was that a reason why that property should escape rating? Where an exemption had existed a long time, giving it up might be making a donation to the parish, and be a throwing away of money; but not so where Government property was being daily enlarged. It was admitted that they should pay for the new property, and he would treat all alike.

MR. ALDERMAN SALOMONS remarked, that at Woolwich a considerable amount of ratable property had been brought under the exemption through being taken by Government. He trusted that the Government would reconsider the question, and remove the dissatisfaction which prevailed throughout the whole country on this subject.

MR. WYKEHAM MARTIN stated that the land in the parish near Rochester, to which reference had been made, was adapted for building purposes, and would, it was believed, be doubled in value if the Government buildings were removed. No pensions were paid to dockyard labourers, and there was a current saying, "Out of the dockyard into the workhouse." The parish, therefore, received no relief in those respects.

Vote *agreed to.*

(7.) Public Education in Great Britain.

MR. LOWE: Mr. Massey, after the very full debate which took place some weeks back on the subject of Education, it is not my intention to trouble the Committee with any lengthened address. This is a transition year, and cannot, therefore, be expected to possess as much interest as either the past year, which was one of considerable change, or the coming year, which will show how the change has worked. The Estimate for the present year amounts to £604,002, being £38,117 less than the Estimate of last year. The Estimate is not founded on very accurate data, but I believe it will not be exceeded. It is based on a calculation that half of the year will be under the old and half under the new Code, which comes into effect on the 30th of this month. Under the Revised Code the number of children is taken at half of the average attendance—that is, 457,000—and we anticipate that each will receive 10*s*., which is the amount the Commissioners recommended. The expenditure for the grants of 1862 was £774,743. The number of children found present in the elementary day-schools by Her Majesty's Inspectors was 1,057,426, while there was accommodation actually provided for 1,378,000. These are, on the whole, very satisfactory results. During the year we have had some experience of the Revised Code, for it applies to the new schools which come into existence. We have examined fourteen such schools, containing eighteen departments, under the Revised Code. The average aggregate attendance of children was 729, out of whom 512 were presented for examination. The House will observe that the practice here is different from that at the Universities, as the children have three chances of being "plucked,"—in reading, writing, and arithmetic. The number who passed in reading was 375, in writing 308, and in arithmetic 243; so that, dividing the children as it were by thirds, the total number who passed was 926. The proportion of those rejected to those who passed was as about two to three. The result was, that these schools earned by the examination, on the average, the sum of 8*s*. 3*d*. per child. That is, I think, a very gratifying fact for the managers of schools, who feared they would be able to gain very little under the Revised Code. It must be borne in mind that these were all new schools, which had not had the advantage of being brought up to the standard of older establishments, and hence there is good reason to suppose that the children in the Council's schools would earn at least 10*s*. per head. The question of the training colleges is one which has given us much trouble. We offered some recommendations in regard to them last year, but in consequence of the urgent representations made to us we agreed to reconsider them. I hope we have now hit on a system which is, in the main, satisfactory to the colleges, and which will also, in a great measure, protect the interests of the public. It does not certainly err on the side of being too severe. It is so exceedingly lenient to the colleges that it could hardly, perhaps, be defended on abstract principles. We must, however, remember that we brought these institutions into existence by our own act, and that if we were suddenly to alter our relations towards them, we should be doing a grave injustice. There were three great evils pointed out in the system of training colleges. In the first place, they had almost entirely ceased to be voluntary institutions. On the average they received 80 per cent from Government, and some even as much as 99 or 100. Another evil was, that though these colleges provided an excellent education for teachers, they did not give any security that the persons who received that education would devote the knowledge so acquired at the public expense to the business of teaching. It was possible that young men, educated in the training colleges, might apply their knowledge in other quarters. It might even happen that a school might go on under the name of a training college, receiving large assistance from the Government, and yet that not one of its students might follow the profession of a teacher. The third evil was one of principle. It is not the function of a Government to supply the demands of any trade. It was thought that in the business of teaching, as in the other departments of human industry, the ordinary law of supply and demand should be allowed to operate freely, and that the Government should not attempt to interfere with it. If the Government were to open its training colleges widely, and were to provide a large supply of teachers, it would always be liable to complaints of injustice on behalf of existing teachers, with whose labours these new teachers would compete. If, on the other hand, the Government were to act in a contrary spirit, and were to close the training colleges altogether, it was equally liable to just reclamation on behalf of the managers of schools, who would say that we were raising the market upon them. It was necessary to remedy these three defects—to reduce the contribution which the Government was to make within certain limits, which should not be exceeded; to apply the training colleges not only to the education of young men, but to the education of teachers; and to get rid of the responsibility of adapting the supply of teachers to the demand. This we have done by a Minute which has been laid on the table. The principle of that Minute is to consolidate the different payments made to the training colleges into one payment, that one payment to be made on the obtaining of the certificate, which is in about two years after a student has passed his examination, and only on condition that during those two years he has been teaching in a school, and has had the honour of receiving two favourable Reports of an Inspector. The difference, therefore, is, that instead of making the payment partly for the education of the student while in the training college, and partly on his examination when leaving it, we defer it till the student not only has passed his examination, but has committed himself by entering upon the profession of teaching, and been two years employed in it. It may be that even so some may escape us; but, on the whole, we take every security on behalf of the public, that a student trained at their expense shall really devote himself to the profession of teaching. The change has this further advantage, that it throws upon the training colleges, instead of upon the Government, the responsibility of adapting the supply to the demand. It will be for the college which takes a student in, to consider whether he is likely to become a teacher; for it knows that if he does not become a teacher, it will not receive on his account any payment from the Government. There are some other provisions in the Minute with which I need not trouble the Committee. For example, we limit the amount which the Government will contribute to the ample sum of 75 per cent, so that no training college can hereafter receive more. I trust this will be the means of some reduction; at any rate, it will prevent the increase of the Vote, will relieve the Government from the duty it has heretofore undertaken, of supplying the profession with teachers, and will, I believe, secure that those who receive public money for their education, shall devote the knowledge so obtained to the purpose for which the grant was made. We have also made a Minute with regard to our Inspectors. It has given me great pleasure to be able to propose a small increase to the salaries of our Inspectors. We have thrown heavier duties on them by the Revised Code, and we were anxious that they should receive some small equivalent for that increase of labour. For the purpose of assisting the Inspectors and lightening their duties, we have made provision for giving them schoolmasters as their assistants. It has been represented as if this were done with the idea of lowering the class of Inspectors. Quite the contrary was our object. These schoolmasters—not assistant Inspectors, as they have been called, but Inspectors' assistants—are only to act under the direction of the Inspector. Their functions are limited merely to the examination of children; they have no power to report on the schools, nor have they anything to do with the management of the schools, or with the working of the grant. We thought it necessary to provide some machinery of this kind, because some of the schools are enormously large. There is a Jewish school in the Commercial Road, for instance, which has 1,800 children. I think it would be great extravagance if we took an Inspector with £800 a year, and buried him, so to speak, in the examination of these children, which could be done almost as well by a person of the calibre of an ordinary schoolmaster, at a much lower salary. But we do not put this class in competition with the Inspectors. They are to relieve the Inspectors where the burden is too heavy for them. We do not contemplate introducing them largely at first, but there are a few populous districts where it is necessary to give the Inspectors assistance at once. Each case will be judged, of course, upon its own merits. I trust, therefore, the Committee will not share in the misconstruction which has been put upon this Minute. There are two objects in view—one is to assist the Inspector, and the other to save expense. All the duties of inspection, properly so called, as opposed to examination, will as heretofore be discharged by the Inspectors; and besides, each Inspector will himself examine, during the course of a year, at least 1,000 children. These are the principal Minutes made during the course of the year. It would be presumptuous to attempt to predict what will be the effect of these changes; but at present we see no reason to augur otherwise than favourably of them. The matter, however, is purely tentative, and we shall be ready to make any practical improvements that may suggest themselves to us. Before I sit down, I may point the little moral of my statement. The Committee will see how many favours the Inspectors have to ask and receive from the Committee of Council. If an Inspector is in indifferent health, it lies with the heads of the Department to give him leave of absence. So with promotion from one district to another. If, too, an Inspector has a heavy district, and finds his work too much for him, it depends upon the discretion of the heads of the Office whether they shall give him the assistance of a schoolmaster or not. I ask how the system would work if gentlemen, who have so many favours to receive from the heads of the Department, should, at the same time, be placed in a position of almost absolute independence as far as their Reports go. Would the tendency not be to make it be thought that something might be got by going, as it were, into opposition? Would the Department not be suspected of buying off a troublesome Inspector at the expense of his colleagues? I have only to add, in conclusion, that when I maintained, in an earlier part of the evening, that it is in the power of the Office to withhold Reports, I did not mean that observation to apply to facts or information of any kind. The right hon. Gentleman concluded by moving—

"That a sum, not exceeding £604,002, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for Public Education in Great Britain."

Motion made, and Question proposed.

Mr. BLACK rose to propose a reduction in the Vote—the extraordinary item for pupil teachers. We had now 15,000 pupil teachers, and we paid for them £300,000 per annum. It would be an interesting sight to see this large army turned out in Hyde Park, and reviewed by the Prince and Princess. He understood they were intended to supply vacancies among the teachers in schools; but those teachers did not amount in number to more than 10,055. Every year we took in 3,000 apprentices. At the end of twenty-two years, which was the time a teacher was supposed to remain in his school, we should have at this rate 66,000 pupil-teachers to meet the demand in schools. He would suggest that they should take on no new apprentices for the next year; they would then still have a sufficient number of pupil teachers for any purpose for which they required them. It was impossible to employ the large number now annually turned ont of the training colleges; and why, then, should so enormous a sum be expended on their education? It might be said, that if they did not all become teachers, still they were qualified to take situations for which, but for their previous training, they would not have been fit. That, however, he held was a pernicious system, and quite contrary to the natural law of supply and demand. Why should a certain class of young persons be educated at the public expense in order to be able to compete for clerkships and other employments which would otherwise fall to the lot of youths educated at the cost of their parents? He did not see why the State should undertake the training of teachers any more than that of surgeons or members of other professions. In the course of the five years' training given to these pupil teachers the State spent no less a sum than £180 upon each of them; and that not only without any advantage to the public, but counteracting the natural order of things, by which the work would be done better, and without any expense to the country. School managers should be left to employ the best teachers they could find, whether they were pupil teachers or not. All these trammels should be done away, leaving those who had charge of the schools to do the best they could. If that course were adopted, there would be no necessity for squandering the public money as was now done. He did not wish to repudiate any existing obligations ; he only desired that they should enter into no new obligations with respect to the 3,000 apprentices who, under ordinary circumstances, would be taken on during the next year. By preventing the introduction of these 3,000 young persons they would not only do no harm to their system, but would positively relieve it from the superabundance which they were at present creating. He begged therefore to propose that the Vote be reduced by the sum of £30,000, thus striking off £10 per head for those 3,000 apprentices.

Motion made, and Question proposed,

"That a sum, not exceeding £574,002, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for Public Education in Great Britain."—(*Mr. Black.*)

Mr. LOWE said, he agreed with a great deal that had fallen from the hon. Member for Edinburgh. The hon. Gentleman, however, did not seem quite to understand how things at present stood. The money taken in the Vote was for pupil teachers who were now apprenticed. The Department came under a pledge to the House last year in the discussions on the Revised Code, that they would pay the full salary of all the pupil teachers now apprenticed until they had served their full term of five years. The hon. Member did not wish them to go back in any way from that, but only that no new pupil teachers should be engaged. Well, he had great satisfaction in telling the hon. Gentleman that no new pupil teachers would be engaged ; because on the 30th of this month the Revised Code would come into effect in England, and, as far as that matter was concerned, in Scotland also. Although it would be competent for school managers to engage pupil teachers if they pleased, they would receive no Government money payment for doing so :—they would merely obtain the capitation grant on examination, which they could apply in retaining a pupil teacher, or in any other way they thought proper. Therefore, no Government stimulus whatever would henceforth be applied to the engagement of pupil teachers. With that explanation he hoped the hon. Gentleman would be satisfied, and not think it necessary to press his Amendment to a division.

Mr. F. S. POWELL (Cambridge) thought that more time should have been given for the consideration of the annual Report of the Committee of Council on Education before the Estimates were proposed. There was great anxiety among the friends of education as to whether the Reports of the Inspectors were to contain a full and comprehensive statement of the educational facts of the country, or whether they were to be purged of all things which were not agreeable to the Minister. If the House could not have complete Reports, they might at least have specimen Reports, by which to judge of the state of education in the manufacturing, mining, and agricultural districts, and he would like to see all the Reports brought up to some fixed and uniform date, to enable a comparison to be made between them and the Reports of future years. He trusted that the Vice President would, either by enlarging the present machinery, or by devising special and exceptional means, obtain information as to the effect of the extraordinary increase of school children in the cotton districts, consequent upon the failure of employment, with a view to show what improvement took place in the educational condition of those districts. He believed that the pupil teachers were the backbone of the system, and he hoped that nothing which had been said to-night would produce an indisposition among parents to allow their children to occupy that position. When it was said that many who were trained in the training colleges at the public expense afterwards turned to other occupations, it should not be forgotten that while learning their duties they performed the duties of teachers, and gave their services in that capacity. He hoped the House would not be led by any wild statement as to the probable increase of the Vote to adopt a system of false economy, as he was convinced that both the House and the country were willing to give liberally towards the education of the people, provided that the education was sound, and was conducted on just principles.

Mr. BLACK said, he would withdraw his Amendment.

Mr. ADDINGTON asked, whether the attention of the Vice President had been directed to the unprotected position of young unmarried female teachers in parish schools, and whether some regulation as to age could not be introduced? At present they were removed from their friends, and were open to great temptations, and to the arts of designing persons.

MR. LOWE said, it was a matter in which plainly the Government could not interfere. A case had occurred recently in which one of the female pupil teachers had sustained a very horrible outrage. The Committee of Privy Council were applied to; but although they deemed it a very proper duty for some one, they did not think it a duty which devolved upon them to prosecute the offender. There was less reason than ever for the Committee of Council to interfere, because these young persons were now entirely the servants of the managers.

MR. PULLER said, that although the managers of the training colleges consented to carry them on for the present, they could not do so as a permanent system. It was difficult to get voluntary contributions to an object which did not appeal to local interest, and, without some change in that respect, this mainstay of the system of education would fail. There was no doubt that occasionally the students in the colleges turned to other occupations, but the instances were by no means numerous. He had requested the Principal of the Training College at Battersea to inform him of the number of Queen's scholars who had abandoned the profession of teachers. In the ten years, from 1851 to 1861, there were 342 Queen's scholars, of which number 16 had died, leaving 328 to be accounted for. Of the 328, 300 were actually engaged as teachers, while of the remaining 28, 18 were employed in colonial or private schools, leaving only ten not accounted for in a satisfactory way. Having said thus much, he wished briefly to state in reference to the Reports of the Inspectors, which have formed a topic for discussion in the early part of the evening, that he could not approve of the course in that respect which the right hon. Gentleman adopted. The right hon. Gentleman, it seemed, justified the withholding of those Reports from the House, not because of their perplexity or their tendency to philosophical disquisitions, but simply and solely on the ground that the arguments which they contained, founded on facts, sometimes advocated views which were opposed to the opinions held in the Education Department. Now, looking at the tentative position of the education question, and to the uncertainty of the results which the changes in connection with it made from time to time might produce, it would, he thought, be most unfair to the House to call upon it to vote £700,000 or £800,000 a year of the public money, without the assistance which might be derived from some sixty gentlemen who were most competent to give information, and who were chosen for their attainments and talents from among the most rising men in our Universities, and spread over the country to collect facts and furnish Parliament with the impression which those facts made upon their minds. The right hon. Gentleman the Member for North Staffordshire (Mr. Adderley), who in 1859 filled the position of Vice President of the Committee of Council, in the course of a discussion which took place in that year stated that it might be frequently the duty of the Inspectors to report that certain regulations had failed to meet the wants of persons engaged in education in their particular districts; while they, upon the contrary, might have to report that the measures of the Committee of Council were approved, and that such observations, coming from independent and impartial witnesses, would possess the advantage of giving the authentic impression produced by the working of the system on different minds in different parts of the country. For his own part, he thought the greatest possible injury would be inflicted on the cause of educational progress if the House were deprived of that help which it had hitherto derived from the Reports of those Inspectors, which, so far as he could form an opinion, went to make up the most interesting of the blue-books which were published by the Government.

MR. ADDERLEY said, that though the House did not want a debate upon the National Education system, which was just now in a transitional or at least revisional state, yet now was the time to make a few remarks upon the process of change going on. The right hon. Vice President had given the Committee an interesting piece of information this evening with reference to the experiment that had already been made of examination under the Revised Code. The result was this, that the schools so examined obtained a grant upon an average of 8*s.* 3*d.* per child. He wished the Committee to bear in mind the proposition of the Royal Commissioners that 10*s.* per head should be the lowest rate in aid which a good school might expect from the public grants; and when they considered that the average cost of educating labourers' children was 30*s.* per head, unless they made the least grant in aid 10*s.* per head, he despaired of the remaining two-thirds being raised by voluntary effort. He would like the right hon. Gentleman to tell them one fact, whether the children who were found unable to stand the test were not of the age from six to eight years ? He had seen the new system of examination under the Revised Code tried in schools with which he was connected, and he found that children of seven and eight years were incapable of passing an individual examination by the Government Inspector. The very appearance of a stranger and the manner of a highly-educated man were calculated to frighten a poor child of such an age. He confessed, indeed, his belief that his own children about that age would be unable to stand the test, if suddenly brought into contact with a Senior Wrangler, and examined even in the moderate subjects which children of that age could be at all examined in. He had come to the conclusion that the requirement of examination must be relaxed, and the age must be raised below which individual examination should not be required. Another point which had been alluded to was the new Minute respecting training colleges. It had been stated that they had almost ceased to be voluntary institutions. The fact was, that training colleges of all institutions were those least likely ever to be supported by voluntary contributions, and he doubted whether even 25 per cent of the amount necessary would be raised in that manner, as was proposed to be required by the new Minute. He concurred in opinion with those who considered these institutions most important, and believed that if training colleges were to cease as a part of the system, the best plan would be to drop the whole system at once. It was not at all likely that voluntary contributions would ever be adequate to the support of such institutions. England was the only country in which voluntary contributions had come even in aid of training institutions. In America, where all schools were supported by a popularly-voted rate, training colleges were not so supported, but were kept up by permanent endowments, and were taken out of the category of national educational institutions supported by taxation. If there was anything unsatisfactory in the Estimate, it was that Scotland did not appear under the same conditions with England, while uniformity became more and more essential to the success of the whole. With respect, also, to the item for industrial schools, it created great confusion to find it divided between educational grants and expenditure for the "Maintenance of Prisoners." It had been a grievous mistake removing any of the industrial schools because they educated vagrants, or the reformatories because they educated culprits, from the National Educational Department, which ought to embrace all aided schools. It was gratifying to find, that although the number of schools and teachers had increased, and the number of children had been brought to within 200,000 of the maximum number that it was supposed by the Commissioners could ever be brought within the system, the Estimate was £38,000 less than it was last year. On the whole, he considered the Estimate satisfactory, and trusted that he should live to see the day when England, Scotland, and Ireland, would all be placed under one system.

Mr. W. E. FORSTER said, that the object of those who desired the production of all the Inspectors' Reports was not to encourage those officers in philosophical disquisitions, but to carry out the circular of the 4th of November 1858, which directed that the Reports should include all information, recommendations, and suggestions which were immediately based upon and could be illustrated by the Inspector's own knowledge and his experience in the course of his inspection. They complained that certain Reports were suppressed, and believed them to be suppressed, not because they were full of philosophical disquisitions, but because they were full of practical suggestions. If they were wrong, the right hon. Gentleman could demonstrate their error by the production of the Reports. This was a matter of great importance at present, and would continue to be so for a few years to come, because a great change was being carried out under the superintendence of the Inspectors, and it was impossible for them to show what was the effect of that change without giving their experience and their opinions. If the House only obtained such experience as was in accordance with the opinion of the Office, they would remain in the dark as to the effect of the changes.

Sir MINTO FARQUHAR considered the attendance at the schools very satisfactory. When hon. Gentlemen found fault with the amount of the Vote, he would ask them to consider the great advantages which the country had derived from the carrying-out of the system. No Petitions had been presented against it, and he believed that no hon. Member had been asked by his constituents to assist in putting an end to the Vote. In his opinion, no fairer system could be devised. If the system could be worked for less money than was at present voted, so much the better; but he believed it answered extremely well. The success of the system mainly depended on the employment of pupil teachers and certificated and assistant masters. He entirely agreed with the hon. Member for Hertfordshire and the hon. Member for Bradford, that the Reports of the Inspectors should be presented unabridged to the House. He asked any hon. Member of that House whether on taking up the Report they could place any value upon it, when they were told that portions of it had been cut out, and therefore must know that it was but a garbled Report. He considered it of the utmost importance that everything that the Inspectors put forward in their Reports should be laid before the House. Otherwise the materials necessary for forming a correct judgment as to the working of the present system of education would be withheld. He regretted the right hon. Gentleman below concurred generally in opinion with the right hon. Gentleman the President of the Council of Education. He (Sir M. Farquhar) would, however, maintain his own independent opinions, which were adverse to the views of the right hon. Gentleman.

MR. W. WILLIAMS said, that the Vote for education in this country was increasing from year to year. Some explanation was due to the House why Scotland was allowed so liberal a contribution four or five years ago, and was placed in a superior position to the other parts of the Empire. Education was properly supported by the State, but it should be carried out with economy.

MR. LIDDELL thought that an admission made by the right hon. Member for North Staffordshire—that the fact of 8*s*. 3*d*. being the average obtained by each child examined in eighteen schools argued that there was great difficulty in bringing young children of six, seven, and eight years of age up to the standard—was one of great importance. It was precisely the argument on which the opponents of the Revised Code relied last year. If that was the maximum, one of two things must happen—either they must be contented with inferior teachers, or the schools would go down. The success of the school depended on the qualifications of the teacher, and that was the reason why he had always supported the system, expensive though it was.

MR. BLACK said, that the system of education prevailing in Scotland was superior to that which had been adopted for this country, and the people of Scotland, while they were not opposed to an enlargement and improvement of the system, would strongly object to the introduction of the English system.

SIR EDWARD COLEBROOKE thanked Her Majesty's Government for what they had already done, and expressed a hope that they would take into consideration the state of many of the Scotch schools, and render their educational system more applicable to the parochial system of Scotland than it was at present.

MR. PULLER observed, that the new Minute altered the order of inspection. Under the Revised Code the Inspectors were not to proceed to an examination in reading, writing, and arithmetic, till they ascertained that the general state of the school did not require the grant to be withheld. The new Minute divided the general inspection of schools into two parts—one of which, religious knowledge, was kept in the first place; but, in all other matters, the general inspection was postponed till after the examination in reading, writing, and arithmetic. To Church of England schools this arrangement would make practically little difference; but it was just possible that, in some cases, where the children were examined by assistants under a written order, the grant might be paid without that general inspection, which, in many points, was of substantial importance.

MR. FINLAY complained, that the Western Islands of Scotland derived scarcely any advantage from this Vote.

MR. WALTER said, that before the discussion closed, he wished to recall attention to what he considered the real point of controversy—namely, whether Parliament was to continue for any lengthened period to find money to provide the machinery by which these schools were to be conducted. Personally, he believed that principle to be entirely wrong, and he would put the point before the House in a very simple manner. The Government did not, and could not, undertake—and, even if it were willing, the country could not permit it to undertake—the education of the people. But the Government contracted with—or, perhaps, he ought rather to say, offered bounties to certain private individuals for undertaking that duty, and stipulated to pay a particular sum, called a capitation grant, for the production of certain manufactured articles in the shape of educated children; and the Government said this to the managers of schools, "We have on our hands a quantity of plant—namely, a number of pupil teachers and certificated masters, which we will compel you to use, on pain of forfeiting our assistance." Managers of schools made their bow to the Government, and proceeded to educate the children as best they could. In process of time Government sent round their Inspectors. In one school they found the children very well taught, the proper instruments were employed, the Inspectors passed the school, and the Government was satisfied that its own machinery was in operation. The Inspector then went to another school, where he found results equally satisfactory, the children equally well taught, and the school—not, as an hon. Gentleman had said, "a Bedlam,"—but perfectly well conducted, clean, and orderly. But in this case, after the Inspector had expressed himself satisfied, the Government demanded to see the schoolmaster, with a view to discover whether he was of the Government stamp. The manager said, "No, he had tried the Government machine and it had broken down in his hands; he then tried a machine of his own, which answered the purpose much better, and with it results had been produced which could not fail to commend themselves to the approval of the Inspectors." The Government, however, replied, "You do not choose to use our machine, we shall not recognise the manufactured article you have produced." He put it to the House whether that was a state of things which could be fairly maintained. At the time he brought forward this question his right hon. Friend, among other arguments used in reply—and he believed it was the best of the arguments which he then put forward—suggested that the system had not had a fair trial. But his right hon. Friend now admitted that an Inspector would not be allowed to make a fair Report; and that if one of them ventured to state anything contrary to the policy of the Government, his Report would not gain publicity. Under those circumstances, how was the House ever to know when the system had received a fair trial? He wished his right hon. Friend would answer that Question, and state how, next year or in any future year, it could be shown that the system he maintained had received a fair trial?

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(8.) Motion made, and Question proposed,

"That a sum, not exceeding £82,883, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for the General Management of the Department of Science and Art, of the Schools throughout the Kingdom in connection with the Department, and of the Geological Surveys of Great Britain and Ireland, &c."

Mr. AUGUSTUS SMITH said, this was a Vote which increased regularly year after year, and, after all, it by no means included the whole of the expense incurred. There were a variety of items of various amounts, and in reality there was about £20,000 more expended under this head than appeared in their Vote. With regard to the buildings at Kensington, he should like to know whether certain apartments called "rooms for officers" were not in reality residences for officers. He moved the reduction of the Vote by £10,000.

Motion made, and Question proposed,

"That a sum, not exceeding £72,883, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for the General Management of the Department of Science and Art, of the Schools throughout the Kingdom in connection with the Department, and of the Geological Surveys of Great Britain and Ireland, &c."—(*Mr. Augustus Smith.*)

Mr. CAVENDISH BENTINCK also expressed his opinion that some explanation on the subject of the buildings "for officers" ought to be given by the right hon. Gentleman the Vice President of the Committee of Council.

Lord HENRY LENNOX hoped that in answering the question just put to him the right hon. Gentlemen would state whether those buildings had not been sanctioned by a Committee of which his hon. Friend the Member for Taunton (Mr. C. Bentinck) was a Member.

Mr. LOWE said, that the buildings in question had been erected in pursuance of a recommendation of the Committee which sat in 1861. The buildings were for four officers—the Secretary of the institution, the resident engineer, the superintendent under the secretary, and another officer. The Museum was open to the public till ten o'clock at night, and the officers were there till that hour. With the exception of the House of Commons, it was, he believed, the only public institution in which business was conducted so late at night. The Committee thought it necessary there should be a residence for officers whose attendance might be required in case of fire or other accident to the Museum. The arrangement would, in the end, be an economical one for the public, because there would be a deduction from the officers' salaries, to go towards meeting the interest on the outlay for those buildings.

MR. VANCE asked whether the Report on the scientific institutions of the city of Dublin would be laid on the table.

MR. LOWE said, there was no objection to the production of the document; but this Department had not yet received the decision of the Treasury on the subject of the Report.

MR. CAVENDISH BENTINCK, in reference to what had been said by his noble Friend (Lord H. Lennox), said, that the recommendation of the Committee proceeded on the assumption that the buildings at Kensington were to be of a plain character. He now found that they were assuming an ornamental character, under the direction of a gentleman who was an officer of engineers, who was styled "the inspector of buildings." He thought they ought to be under the direction of some one who had undergone the professional education of an architect. He wished to know whether it was the intention of the Department to allow them to continue under the direction of a gentleman who had not received such an education.

MR. LOWE said, that the gentleman just referred to by his hon. Friend as the "inspector of buildings" was Captain Fowke. For the information of his hon. Friend and the House he might state that the gallant gentleman, who was a captain in the Engineers, had been first employed by the Government in connection with the construction of a barrack, which cost £100,000. He then became Secretary of the English Science and Art Department of the Paris Exhibition of 1855. He gave such satisfaction in that capacity that he was appointed one of the inspectors under that Department in England. He was not the designer of the iron portion of the structure. [Mr. CAVENDISH BENTINCK: Of the boilers.] He was not the designer of what had been called "the boilers," which were erected by Sir William Cubitt; but he was the designer of the Vernon and Sheepshanks Galleries, for which works he deserved the highest credit. He not only distinguished himself as an architect, but as an inventor. He first investigated and showed the true theory of lighting a picture gallery. He laid down a formula that could be applied to any gallery; and he applied it himself at Kensington. He also made the gas in those galleries—what it was much to be desired it should become in that House—not only a means of lighting, but also of ventilating the building. Captain Fowke had made the plan of the Irish National Gallery, which he believed gave great satisfaction; and his design for the Industrial Museum of Scotland had also received the preference. He had built the lower arcade in the Horticultural Gardens from his own plan, and that structure was considered to be an excellent one. He had laid before the Select Committee a plan for buildings for the Department of Science and Art. To him belonged the credit of building at the small expense of £17,000 those new quadrangular courts in the Kensington Museum, which presented such an exceedingly handsome appearance. From the works Captain Fowke had executed for his Department, he must say he had the highest opinion of him. He was a most excellent officer; there had never been any complaint of him; and he was superior to most professional architects in this respect—that he never exceeded his estimate. Under these circumstances, there was no intention to displace Captain Fowke.

MR. CAVENDISH BENTINCK said, the right hon. Gentleman had not answered his question. Captain Fowke might be a very excellent engineer but he denied that he knew anything about architecture. As long as he was employed in constructing sheds and devising plans for ventilation, he was a very proper person to be selected; but the moment the Government went out of this into art it was only right that the country should have the best advice. When he (Mr. Cavendish Bentinck) was placed on the South Kensington Committee, he found that the only case put forward for Captain Fowke was the building of sheds; but the moment the Department of Science and Art rushed into what might be termed the height of art the buildings were the contempt of every one who knew anything about art. Some persons admired the Gothic, and others the modern style of architecture; because each of these represented what was beautiful in itself; but Captain Fowke's style was the barbarous, as was seen in his great masterpiece, the Exhibition, which the Government now wanted Parliament to buy — those melon glasses which were the scorn of Europe—and yet the designer of these was the man whom the right hon. Gentleman called the architect of the Government. [Mr. LOWE: The architect of my Department.] He (Mr. Cavendish Bentinck) would congratulate the right hon. Gentleman on the success of his Department in that it had such an architect.

MR. LOCKE desired, as a Member of the South Kensington Committee, to say, that the hon. Gentleman's estimate of Captain Fowke was not that taken by the rest of the Committee. The frightful building at South Kensington was not an original design of Captain Fowke. The Commissioners required a building to be put up here for one purpose, and another there for another purpose; and Captain Fowke was then called upon to prepare a plan for moulding them all into one. Hon. Members were told to look to the Society of Architects, or some other society, which enjoyed a pre-eminence of taste in this country. He (Mr. Locke) would be glad to know where any society which had this pre-eminence was to be found. He would ask the hon. Member (Mr. Cavendish Bentinck) to point to any man who could put up a better building than Captain Fowke had put up? The fact was, there was nobody in this country who knew anything about taste in architecture, and no one who had any taste to guide them. If there was a man worthy of their confidence, that man was Captain Fowke; but he (Mr. Locke) had not entire confidence in him. That noble building of brick, the International Exhibition, was not built for the purpose of ornamentation. It was built so that it should have the most frightful exterior; and this in itself showed the ingenuity of Captain Fowke, for now he could say, "Is not this building which I have raised hideous? but now let me have the ornamentation of it." And why was he not to have it? He (Mr. Locke) did not see why Captain Fowke was not to be trusted as well as any other man; and no doubt hon. Members would all get accustomed to the building. Captain Fowke ought then to be allowed to go on in his course, and not be interfered with in his plan for the South Kensington Exhibition. He (Mr. Locke) hoped the hon. Member (Mr. Cavendish Bentinck) would think over the matter before the Vote to the Exhibition Building came on, which the Government proposed to buy, but not, he trusted, at the expense of £484,000; and if the Government proposed to take the building down and put up another, Captain Fowke would do it as well as any other.

SIR MATTHEW RIDLEY wished to draw the right hon. Gentleman's attention to the manner in which the picture gallery at South Kensington was warmed. Such a stream of hot air entered the gallery just beneath the pictures that the varnish was contracted, and after a certain time became desiccated and fell off. He was told that some of the pictures had already been injured from this circumstance since their removal from Marlborough House.

MR. LOWE said, he would give attention to the suggestion of the hon. Baronet.

MR. AUGUSTUS SMITH said, he had heard nothing to diminish his objections to the Vote. He desired to know whether the "rooms for officers" were all in one house, or were in separate buildings.

MR. COGAN rose to protest against the amalgamation of the Royal Dublin Society and the Museum of Irish Industry, both institutions of the city of Dublin. The Commission appointed to investigate the question of amalgamation was unfairly constituted, two of the gentlemen composing it representing the Treasury, and the other two being connected with the Royal Dublin Society. He also complained of the delay which had taken place in laying the Report of the Commissioners on the table—a thing which was most unusual in similar cases.

MR. LOWE said, the Commission appeared to him to have been very fairly constituted, the gentlemen composing it being men of the highest character. They had made their Report, which was now before the Treasury; it had been moved for, and would be produced. It could not, in any way, affect the Estimate now before the House. As to a question put by the hon. Member for Truro, he begged to state that the residences were all in one house.

SIR PATRICK O'BRIEN said, a very strong feeling existed in Ireland and especially in Dublin on the subject of the proposed amalgamation of the Museum of Irish industry with the Royal Dublin Society, and he trusted before the House came to a decision upon it they would allow the opinion of the country more immediately interested in the matter to be expressed.

MR. WYLD wished to call attention to the item for the geological survey. It seemed to be a rule, that when an item once got into the Estimates, it was to be continued indefinitely. Only 8,000 square miles of the geological survey of Great Britain was completed, and would cost £7,861, when for half the money double the amount of work might be done by any private parties. There was great reason to complain of the slow progress of the work.

MR. CONINGHAM, reverting to the subject of the Exhibition building at Kensington said, it was all very well to turn professional architects into ridicule ; but when they were about to erect a great building which, he ventured to say, was extremely ugly, it would have been well to have taken their opinion. When he looked at the building yesterday from the Horticultural Gardens, it struck him that a fine opportunity had been lost ; and he believed, if a skilful architect had been consulted, very little difficulty would have been experienced by the Government in the purchase they intended to make. But when they saw a building such as that now at Kensington, everybody wished to have it removed.

Question put.

The Committee *divided* :—Ayes 31 ; Noes 129 : Majority 98.

Original Question put, and *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow* ; Committee to sit again *To-morrow.*

VOLUNTEERS BILL—[BILL 152.]

CONSIDERATION.

Bill, as amended, *considered.*

Clause 7—Amendment proposed, in page 3, line 31, to leave out the words "for any subscription or fine, or on any other account."—(*The Marquess of Hartington.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. COX moved the adjournment of the debate, for at that hour of the morning (half past twelve o'clock) it was hardly fair to bring on such a discussion. When the Bill was last before the House, it was on the evening of the Ascot Cup, and there was a very thin attendance of Members in consequence, nor could there now be such a full discussion as a Bill of this importance demanded.

Motion made, and Question proposed, "That the Debate be now adjourned."

THE MARQUESS OF HARTINGTON said, he was perfectly aware, that if the hon. Member and his friends chose to obstruct the further progress of the Bill, it would be in their power to do so. But he would remind the House that this measure had been fully considered in Committee ; and as the House was now well attended, and the only Amendment of importance on the paper was that of the hon. Member for Nottingham (Sir Robert Clifton), which had been discussed very fully the other evening, he hoped the hon. Gentleman would now allow the debate to proceed, and would not do anything calculated to obstruct the Bill.

COLONEL EDWARDS hoped the hon. Member would withdraw his Motion of adjournment. He believed the country generally was favourable to the Bill ; and as a large number of Members were now present, there could not be a better opportunity for discussing it. Many important discussions had taken place in the House after half past twelve o'clock, and he trusted there would be no attempt to obstruct the progress of the Bill.

SIR JOHN SHELLEY said, that the Volunteers were very anxious that the Bill should pass, whatever difference of opinion there might be on one particular clause. He did not know where the hon. Member had been when he talked of half past twelve o'clock being too late for the discussion of the Bill.

Motion, by leave, *withdrawn.*

Clause 20 (Discipline of Volunteers while on actual Military Service).

SIR ROBERT CLIFTON said, that since he last addressed a few words to the House on this clause he was more than ever convinced that the feelings of the Volunteers in general were nearly unanimous on the subject of the clause. If he were to judge by leading articles in local newspapers, and by letters he had received, it was very generally obnoxious. He contended that a Volunteer once dismissed by his commanding officer had no power of appeal ; for the demand for inquiry must pass through the hands of the commanding officer who dismissed the Volunteer, and he thought he should be able to show that Volunteers so dismissed had appealed to the Lord Lieutenant, and likewise to the War Office ; but that the colonel commanding his regiment, by whom he was dismissed, never forwarded his petition. [The hon. Baronet here read two letters from Volunteers, complaining that, after being dismissed, they were unable to obtain a hearing of their case, and that their applications for inquiry received no attention.] On the last occasion when this subject was discussed, a good deal was said about a letter written by a Mr. Hutchins. That gentleman was said to have written a most improper letter; but he would show how far that statement was to be relied on by reading the letter. [The hon. Baronet here read the letter, in which the writer stated that he had delivered over to the sergeant all the Government property issued to him, and he had no wish to continue a member of the South Middlesex Rifle Volunteers, feeling obliged to resign in consequence of the dismissal from the regiment of one of the corps without trial, and not choosing to render himself liable to similar treatment.] Now, he left the House to judge whether that letter could be termed a very improper one. It might be deemed so by Volunteer colonels, who wished to hold the despotic power which the present Bill gave them of dismissing without trial men who came forward patriotically to serve their Queen and country. In one case he had heard of a whole company resigning. If the House wished to annihilate this great movement, he had nothing more to say. He had received a hundred letters, and he had got upwards of sixty leading articles on the subject. These unfortunate Volunteers were liable to be posted in shop windows, and a Volunteer who was summarily dismissed from the Queen's Westminster Rifles was posted as having been dismissed from gross carelessness and negligence. Now, he thought that those who came forward to support the movement ought to be well treated, and that the Volunteer ought not to be worse off than the common soldier; but, like every other man, was entitled to have a fair trial.

Amendment proposed,

In page 8, line 17, after the word "cause," to leave out to the word "Officer" in line 19, and insert the words "such cause or causes respectively to be committed to writing, and communicated to the accused by the Adjutant of such corps, and the existence and sufficiency of such causes respectively to be judged of by a court to be summoned by the Commanding Officer, and to consist of one Captain, two Subaltern Officers, and two Non-Commissioned Officers or Privates of the same corps."—(*Sir Robert Clifton.*)

Mr. DARBY GRIFFITH thought the House should receive the explanation of the Government upon this point. The strength of the Volunteer force depended upon the rank and file, and any conditions which were likely to be opposed to the feelings of the members of the Volunteer corps would tend to destroy the force. As an honorary member of several corps, he had been enabled to ascertain the views of the members generally, and he had found great dissatisfaction prevailing as to this clause especially. It was said that the power now complained of was given by the Act of 1804; but Volunteers could not be expected to be familiar with the details of an Act of Parliament passed more than half a century since. The War Office in 1859 issued model rules authorizing courts of inquiry for the dismissal of Volunteers, and therefore the principle now contended for was sanctioned. That House was rather a House of colonels than one of privates, but he thought that courts of inquiry would be found useful to commanding officers as relieving them from the opprobrium that might sometimes attach to their own independent action in dismissing Volunteers. He was informed by Lord Ranelagh that in the case of Mr. Meyrick a court of inquiry was summoned, but that gentleman declined to attend, and his dismissal took place with the sanction of the court of inquiry. So, in the case of Mr. Reece, of the Queen's Westminsters, a court was summoned, which suspended that gentleman from practice at the butts. There was a subsequent dismissal by the commanding officer, into the reasons of which he would not enter. Those cases proved the necessity of having the machinery of courts of inquiry to assist commanding officers.

Mr. COX said, that when the Volunteers entered the force, they had no conception that the colonels possessed the power of dismissal with or without cause. They were led to form that opinion by the rules issued by the War Office, which stated that the Act 54 of George III. applied to them, but made no mention of that particular power, and further stated that it should be lawful to assemble courts of inquiry to investigate any irregularities that might be alleged to exist. He could mention a great many cases of injustice and oppression on the part of commanding officers towards Volunteers; but at that hour of the morning he would mention only two. Mr. Fricker, a respectable auctioneer at Kingston, having absented himself from parade in consequence of a difference with one of the officers on a matter of business, was called to account for his absence, warm words ensued, and he resigned. Before, however, the fourteen days had elapsed, he received a dismissal. His two sons also resigned, and were treated in the same way. The truth was that some commanding officers behaved towards their men as though they were the mere scum of society, while others regretted that they had not the power of flogging. [" Oh!" "Name!"] He referred to Lord Ranelagh, whose evidence before the Commission showed that his desires lay in that direction. A resemblance was suggested between Volunteers criticising their commander and schoolboys criticising their teacher, and Lord Ranelagh was asked what he would say to the latter proceeding. His Lordship replied that boys ought to be well flogged, and added, " But how can you correct Volunteers? You can't flog them,"—as though he would fain have had authority to do so. The misconduct of the commanding officer of the Lanarkshire Volunteer Artillery had led to the resignation of an entire battery. The corps elected a certain gentleman to a vacant captaincy; but the commanding officer refused to transmit his name. The Lord Lieutenant and the Secretary for War were both appealed to, but replied that they could not entertain any memorial unless it came through the commander. Then the corps sent their complaint to their commanding officer, requesting him to forward it to the Lord Lieutenant; but he refused. After another vain attempt to procure redress, the entire battery of fifty men, officers and privates, resigned *en masse.* If Volunteers were to be used in that way, the movement would quickly come to an end. He therefore supported the Amendment.

LORD ELCHO thought there had been some misapprehension as to Lord Ranelagh's evidence before the Commission. Some time ago precisely the same statement which had now been made by the hon. Member for Finsbury—namely, that Lord Ranelagh was in favour of flogging Volunteers—was printed and circulated by two gentlemen in London for the purpose of casting odium on Lord Ranelagh. Thereupon Lord Ranelagh proceeded against his accusers in a court of justice; the magistrates who heard the case decided that the statement was libellous, and it was only by signing a humble apology, dictated by Lord Ranelagh, that the gentlemen escaped the penalties they had incurred. He believed that the other cases referred to by the hon. Member, if they could be properly investigated, would be found equally groundless. The truth was that an association had been formed for the purpose of exciting a bad feeling between Volunteers and their commanding officers; but it had not succeeded, nor would it ever succeed. It was all very well to hold up commanding officers as tyrants and ogres; but he protested against such statements, which had no foundation in truth, and had not been supported by a single well authenticated case. The rule of the War Office, which had been cited, merely permitted a commanding officer to call a court of inquiry if he should think it necessary to do so; but there was nothing in that discretionary power inconsistent with the clause now under consideration, which was similar to one in the existing Act. He trusted the House would adhere to the decision which, by a majority of 113 to 31, it came to on a former occasion.

COLONEL EDWARDS remarked that the noble Lord (Lord Elcho) who had just preceded him, had so completely demolished the calumnious insinuations of the hon. Member for Finsbury with respect to the evidence of that energetic officer, Lord Ranelagh, before the Commission, as to any desire to see flogging introduced into the Volunteer force, that he did not think it necessary to add one word on the subject to weaken the effect of his Lordship's rebuke. He (Colonel Edwards) had always felt the deepest interest in the movement, and had seen a great deal of the Rifle Volunteers since the first organization of the force, and he had no hesitation in stating that it was their great ambition to be acknowledged by the Government as a contingent of the regular army, and, when under arms on duty, to be placed as far as possible under military discipline. An hon. Member had alluded to letters by the hundred, and Petitions about to be presented against the provisions of the Bill from Members of different regiments, but he had heard of none. If disaffection existed, why, he asked, had no Petitions been presented to the House? The hon. Member for Finsbury said, he could mention many cases of injustice and oppression on the part of commanding officers towards Volunteers, but he had utterly failed in the examples he had adduced. His (Colonel Edwards's) conviction was, that if the opinion of the entire force could be obtained, out of the 150,000 men at present enrolled there would be found but very few who would not be satisfied to leave the decisions with their commanding officers, and they looked for no other tribunal to settle disputes arising amongst them. He believed the cases of dissatisfaction were very rare, and hoped the noble Marquess would persist in retaining the clause under discussion. He would take the opportunity of adding that the Bill introduced and carried up to its present stage with so much ability by the Under Secretary at War did him infinite credit as his first effort on the Treasury bench, and, as a whole, he had no doubt that it was most popular with the force throughout the kingdom.

MR. HENNESSY was surprised at hearing it said, that this Bill merely embodied that which had heretofore been the law in England on this subject. Why, the famous Volunteer Act of 1794 provided that no Volunteer should be liable to be punished except by a court martial composed entirely of officers serving in Volunteer corps; while Blackstone had laid it down that the peculiarity of our military system was that there was no such thing as punishing any one on the arbitrary authority of a single individual. He had heard something about the impracticability of this Amendment. In the rules of almost all Volunteer corps there was a provision that it should be lawful for a commanding officer to summon a court of inquiry. It was admitted, then, that there might be a court of inquiry. Surely that showed the thing was practicable. He hoped the House would not refuse to Volunteers that which every man already had by common law—a fair trial when accused of an offence.

THE MARQUESS OF HARTINGTON said, he would not so ill reward the House for going on with this Bill at so late an hour as to trespass at any length upon their time. The hon. Member for Devizes (Mr. Darby Griffith) had said that Volunteers of the present day could not be expected to be acquainted with all the details of an Act passed fifty years ago. He admitted that neither in the rules nor in the circulars issued universally to the Volunteers had this power been specially alluded to; but as early in the progress of the Volunteer movement as 1860 a circular was sent from the War Office to certain of the corps, in which this power given to commanding officers was expressly referred to, and never till now had any complaint been heard against it. The Volunteers had greatly prospered under that rule, and until it was discovered in this new Bill, and the question was so sedulously agitated as it had been within the last few weeks, not a single complaint of the misconduct of those officers had arisen. Nobody denied that courts of inquiry might generally be useful for the purpose for which they were prescribed—namely, for supplying the commanding officer with the information he required; but in the regulations it was distinctly stated that the object of those courts was to procure information which the commanding officer could trust, and not to pass any sentence whatever. If therefore the clause was altered, as the hon. Member for Nottingham (Sir R. Clifton) proposed, the functions of the court of inquiry would be changed. It was said that the power of appeal given to the War Office would be entirely nugatory, because it was necessary that the appeal should be forwarded through the commanding officer. That was quite an error. When a Volunteer had been dismissed, he was no longer a Member of his corps, and therefore he could bring his case to the notice either of the Lord Lieutenant of his county or of the Secretary of State in the form he thought best. The circumstances connected with the Lanarkshire Volunteers had been referred to; but although those circumstances might be an argument in favour of the Volunteers having the power of electing their officers, they did not apply to the summary power of dismissal in the commanding officer. The case of Mr. Reece, which had been placarded in the streets of London, had also been adduced; but the sentence passed upon that gentleman was passed by a court of inquiry by the very process which the hon. Member for Nottingham proposed to make compulsory. The hon. Member for Finsbury (Mr. Cox) admitted that the commanding officer ought to be responsible for the discipline of the regiment; but then he proposed to take away the only power given to him for preserving it. He did not believe that any such feeling as had been stated existed in the Volunteer force; but even if there were such a feeling, the object of the Government was not to show a force numerically large upon paper, but a force whose efficiency and discipline proved it to be worthy the assistance which the House had decided on granting them.

SIR JOHN SHELLEY also showed that by means of circulars the Volunteers had been informed that they were subject to dismissal by the commanding officers.

MR. WYLD said, it was not correct that Mr. Reece's sentence had been passed by a court of inquiry. That gentleman had not been dismissed by such a tribunal, but by the Lieutenant Colonel commanding.

Question put, "That the words proposed to be left out stand part of the Bill."

The House *divided*:—Ayes 100; Noes 29: Majority 71.

Other Amendments made.

Bill to be read 3° *To-morrow.*

DRAINAGE AND IMPROVEMENT OF LAND (IRELAND) BILL—[Bill 106.]

THIRD READING. ADJOURNED DEBATE.

Order read for resuming Adjourned Debate on Amendment proposed to Question [5th June], "That the Bill be now read the third time;" and which Amendment was, to leave out from the word "be" to the end of the Question, in order to add the word "re-committed,"—(*Mr. Hennessey,*)—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

Amendment and Motion, by leave, *withdrawn.*

Order for Third Reading *discharged.*

Bill *re-committed,* in respect to Clause 58; *considered* in Committe, and *reported;* as amended, *considered;* to be read 3° *To-morrow.*

SUPPLY.—REPORT.—ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [9th June], "That the Resolutions which upon the same day were reported from the Committee of Supply be now read a second time."

Question again proposed.

Debate *resumed.*

First Resolution being read a second time;

Sir JAMES ELPHINSTONE (amid repeated cries for a division) rose to object to the Alderney Vote. He objected to the extravagant expenditure of money at Alderney, where no less than £800,000 had already been expended, and it was proposed to add a larger sum. He moved a reduction of this Vote by £80,000.

Amendment proposed, to leave out the words "£165,000," in order to insert the words "£85,000."—(*Sir James Elphinstone.*)

Question put, "That '£165,000' stand part of the Resolution."

The House *divided*:—Ayes 44; Noes 40: Majority 4.

Second Resolution *agreed to.*

Third Resolution being read a second time; Amendment proposed, to leave out the words "£89,000," and insert the words "£79,000."—(*Mr. Lygon.*)

Question proposed, "That the words proposed to be left out stand part of the Resolution."

Amendment, by leave, *withdrawn.*

Resolution *agreed to.*

NEWCASTLE UPON TYNE (SAINT MARY MAGDALEN HOSPITAL) BILL.

On Motion of Mr. Lowe, Bill for confirming a scheme of the Charity Commissioners for the management of the Charity called the Hospital of Saint Mary Magdalen, at Newcastle upon Tyne, in the County of Northumberland, *ordered* to be brought in by Mr. Lowe and Mr. Bruce.

Bill *presented,* and read 1°. [Bill 162.]

RUTHIN CHARITIES BILL.

On Motion of Mr. Lowe, Bill for confirming a scheme of the Charity Commissioners for the management of the Charities in the borough of Ruthin, in the county of Denbigh, comprising the Hospital of Christ and its subsidiary endowments, the Grammar School, Edward Lloyd's Foundation, and Bishop Goodman's Charity, *ordered* to be brought in by Mr. Lowe and Mr. Bruce.

Bill *presented,* and read 1°. [Bill 161.]

SIR ROBERT HITCHAM'S CHARITY BILL.

On Motion of Mr. Lowe, Bill for confirming a scheme of the Charity Commissioners for the management of the Charity of Sir Robert Hitcham, Knight, King's Serjeant, for the benefit of Framlingham, Debenham, and Levington, in the county of Suffolk, and of Coggeshall, in the county of Essex, *ordered* to be brought in by Mr. Lowe and Mr. Bruce.

Bill *presented,* and read 1°. [Bill 160.]

CHARITABLE USES BILL.

On Motion of Mr. Solicitor General, Bill to further amend the Law relating to the Conveyance of Land for Charitable Uses, *ordered* to be brought in by Mr. Solicitor General, Mr. Attorney General, and Sir George Grey.

Bill *presented,* and read 1°. [Bill 164.]

MILITIA PAY BILL.

Bill to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in Great Britain and Ireland; to grant Allowances in certain cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons Mates of the Militia ; and to authorize the employment of the Non-Commissioned Officers, *presented,* and read 1°. [Bill 163.]

House adjourned at a quarter before Three o'clock.

HOUSE OF LORDS,

Friday, June 12, 1863.

MINUTES.]—Public Bills—*First Reading*—Officers of Royal Naval Reserve * (No. 131); Statute Law Revision (No. 133).
Second Reading—London Coal and Wine Duties * (No. 104).
Committee—Redemption of Rents (Ireland) (Nos. 110 & 134).
Report—Duchy of Cornwall Management (No. 135).

REVISION OF THE STATUTE LAW.

BILL PRESENTED. FIRST READING.

The LORD CHANCELLOR : * My Lords, I rise for the purpose of laying on the table of the House a Bill for the revision and expurgation of the Statute Law, from the earliest commencement of our recorded legislation down to the beginning of the eighteeenth century ; the legislation, in fact, of about 500 years. Before I explain the provisions of my Bill, I would ask your Lordships to favour me with your patient and indulgent attention, while I offer some observations on the present state and condition of the Statute and Common Law. I will endeavour to speak in plain and simple language, avoiding the ordinary reproach of the lawyer that his words are taken from the vocabulary of his art. I solicit the attention of all your Lordships, as statesmen rather than as lawyers, because I feel convinced that the amendment of the law has suffered greatly from the circumstance of its being generally supposed that the subject belongs to lawyers exclusively. A great philosopher, who was also a great lawyer, has said :—"Jurisconsulti tanquam e vinculis sermocinantur." Lawyers, when speaking of legislation, discourse in chains and shackles; and what are they ? They are the professional prejudices, the narrow horizon within which their views are bounded, and their blunted sensibility to evils with which they have been long familiar. But the same great author, Lord Bacon, treating of the knowledge and handling of these subjects, says :—

> "Certe cognitio ista ad viros civiles proprie spectat,"—adding, in language which I am happy to say is applicable to many of your Lordships, "qui optime norunt quid ferat societas humana, quid salus populi, quid æquitas naturalis, quid gentium mores, quid rerumpublicarum formæ diversæ, ideoque possint de legibus ex principiis et præceptis tam æquitatis naturalis quam politices decernere."

Your Lordships are aware that the law of England is commonly divided into the written and unwritten law. The written is the Statute Law, and the Common Law is described as the unwritten law of the land.

The Statute Law is in a great measure supplemental to the Common Law, and a knowledge of the Common is necessary in order to enable a man to read and understand the Statute Law. The Common Law is traditionary—it is supposed to reside in the breasts of the Judges ; and, accordingly, when it is necessary to ascertain it in this House, your Lordships require the attendance of the Judges, who are called upon to declare what that law is. In like manner, in the great court of equity to which belongs that large portion of natural justice which is ignored by the Common Law Courts, the Lord Chancellor originally had the power of determining what should constitute the rule of equity. This is, undoubtedly, a dangerous and a difficult trust. It is little less than legislative power, because the sources of the decision are of the most varied and uncertain description. Of the Common Law, much, no doubt, consisted originally of customs and usages, recorded only in the memories of men ; much, of rules embodied in acts of the Great Council, of which no record now exists ; much was derived from the civil law, relics of the old Roman jurisprudence, which remained so long throughout the land ; and much was deduced from general maxims and principles handed down from one generation of lawyers to another. Thus the sources of the Common Law were in ancient times of the most indefinite character, and the power or liberty of judicial decision was equally unlimited. In the old time it was impossible to know what the law was until it was declared. The Judges were not only legislators, but the worst of legislators—legislators *ex post facto.*

Consequently, at an early period, it was deemed necessary, for the protection of liberty, and in order to get some kind of approach to uniformity, constancy, and regularity in the law, that the grounds and reasons of the Judges' decisions should be given. At first an attempt was made to do so by entering the reasons for the judgments in the rolls of the court; and our Court Rolls, preserved from the time of Richard I., contain repeatedly the reasons for the decisions and sentences In the reign of Edward I. the practice of reporting the decisions of the Judges began, and from that period we have a series of judicial reports of those decisions. That was a great security, because it was an approach to certainty in the law. It introduced the practice of appealing to former decisions as authority for the determination of similar cases, and thus originated that distinctive peculiarity of the English mind —the love of precedent, a love of appealing to the authority of past examples rather than of indulging in abstract reasoning. This was the only mode in which the Common Law was recorded, and the only mode in which it became known. These reports were kept for a considerable period of time under the superintendence of the judges themselves, and great care was taken in sifting and ascertaining the proper grounds of decision. The evil was therefore comparatively little; but in course of time, as the Reports multiplied, and as the personal superintendence and care of the judges were withdrawn, there being no provision for revising and digesting the Reports from time to time, great complaints began to arise; and so much inconvenience was felt, that as early as the time of Lord Bacon it became a subject of general dissatisfaction, and led to his publishing his celebrated proposal for the compiling and amendment of the law of England. I must admit—and perhaps in stating this I shall best recommend myself to your Lordships—that what I propose will do little, if anything, more than revive the proposal of that great man. The wisdom and excellence of that proposal have been admitted from age to age; and the fact that nothing has been done to give effect to it we must attribute to the singular *inertia* that characterizes the English Legislature. Lord Bacon himself says—

> "The common law of England is no text law, but the substance of it consisteth in the series and succession of judicial acts, which from time to time have been set down in the Reports; so that as these Reports are more or less perfect, the law itself is more or less certain, and indeed better or worse; whereupon a conclusion may be made, that it is hardly possible to confer upon this kingdom a greater benefit than that these books should be purged and revised, whereby they may be reduced to fewer volumes and clearer Resolutions."

In the time of Lord Bacon these Reports extended to, at the utmost, fifty or sixty volumes. During the 250 years that have passed since then nothing has been done in the way of revision or expurgation; but these fifty or sixty volumes have grown to between 1,100 and 1,200 volumes. Nay more, at this time there are at least forty or fifty distinct sets of Reports pouring their streams into the immense reservoir of law, and creating what can hardly be described, but may be denominated a great chaos of judicial legislation. The evil arising from this is manifest. As it existed in his time, it was described by King James I. in two speeches in 1607 and 1609, which to some extent may warrant his claim to the title of a wise king. Speaking at Whitehall in March 1607, he said—

> "Where there is a varietie and uncertaintie, although a just judge may do rightly, yet an ill judge may take advantage to do wrong, and then are all honest men that succeed him tied in a manner to his unjust and partial conclusions. Wherefore leave not the law to the pleasure of the judge. It were less hurt that all the approved cases were set down and allowed by Parliament for standing laws in all time to come.'

And again, in 1609, he refers to the subject in these words—

> "Though it be true that no text of law can be so certain, wherein the circumstances will not make a variation in the case, &c., yet could I wish that some more certainty were set down in this case by Parliament, for since the very reports themselves are not always so binding but that divers times Judges do disclaim them, and recede from the judgment of their predecessors, it were good that upon a mature deliberation the exposition of the law were set down by Act of Parliament, and such reports therein confirmed as were thought fit to serve for law in all times hereafter, and so the people should not depend upon the bare opinions of judges and uncertain reports."

Now, if that difficulty was felt then, and I think justly felt, your Lordships will at once understand how infinitely greater are the difficulty and the evil existing at the present time. The Reports are published without any judicial control or sanction, nor is there any provision to secure correctness or security against error; but as soon as a Report is published of any case, with the name of a barrister annexed to it, the Report is accredited, and may be cited as an authority before any tribunal. The evil resulting from this state of things is, as to great part of it, sufficiently obvious, but it cannot be fully apprehended without adverting to the authority which is sometimes conceded, and sometimes denied, to a reported case, according to the practice of our courts of justice.

If, therefore, your Lordships will indulge me with your attention for a few moments, I will describe the exact value, authority, and weight which reported decisions—that is to say, precedents—have by the rules of English law, and the manner in which their authority is sometimes admitted to almost an extravagant extent, and at other times denied, in courts of justice. The law on the subject may be explained in very few words, both with regard to the authority of decisions in similar cases, and their authority for the purpose of determining new cases when they arise. Lord Coke says, "Our book cases are the best proofs of what the law is." Chief Justice Best says, "The judgments of the Courts of Westminster Hall are the only authority that we have for by far the greater part of the law of England." Chief Justice Tindal, an honoured name, in a very recent case in this House, said, "Decisions of the Courts of Common Law are at once the best expositors, and the surest evidence of the Common Law itself." The doctrine of Mr. Justice Blackstone is that precedents and rules must be followed, unless they are flatly absurd and unjust. An ornament of your Lordship's House, whom, as he is not present, I may name, Lord Wensleydale, says—

> "In our system of judicature we are bound by precedents, and by the authority of previous cases, unless they are plainly and manifestly founded on erroneous principles."

Now, I beg the House to observe the enormous amount of uncertainty which is contained in these enunciations of the mode of ascertaining the law, particularly when it depends upon a rule being extracted from a number of varying and discordant cases. The rule of the great commentator is, that a precedent may be rejected when it is absurd and unjust. The rule of Lord Wensleydale is, that precedents must be followed, unless they re plainly founded on erroneous principles. The result, therefore, is, that each succeeding Judge has it in his power to determine what is absurd, what is unjust, what is the measure of erroneous principle. Nor is this the only evil inherent in the present system, for there is another necessarily inherent also, and it is this—in the language of Lord Bacon—that the unlearned age governs the more learned, because you take your rule as it is laid down in an early and undeveloped stage of society, and you are compelled to abide by that rule, if, for instance, it has regulated the disposition of property, until the Legislature intervenes to rescue the law from the necessity of following that which is often unreasonable and absurd. But the contradiction and anomaly do not end there, as I will render plain to your Lordships by citing one or two instances of the manner in which decided cases are occasionally dealt with by courts of justice. We have all heard the vulgar phrase "the glorious uncertainty of the law." It is the common opprobium of our system, which has passed into a proverb, and the saying has taken its rise in the fact that no man can tell with certainty whether a particular case which he finds recorded, and which is supposed to govern the particular case in which he is interested, will or will not be followed by the Judges. Now, let me justify these words by some examples which I have taken without much research, and as they came immediately to hand. Others more striking, I dare say, might easily be found. The Court of Queen's Bench in 1801, when it was constituted of Judges of great reputation, speaking of a single case which had been decided by the same court only three years before, disapproved it, and yet considered the case before them as concluded by its authority, and that the matter having passed *in rem judicatam*, the merits could not now be entered into. On another occasion Lord Ellenborough said, "With a decided case exactly in point, it would be extraordinary if we were to apply a different rule of construction, although, if it were to be decided now for the first time, I should not think that decision right." In many instances the language is, "It is better *stare decisis;* the very case has already been determined." Lord Eldon says, "Where there is a decision precisely in point it is better to follow it." In a multitude of cases the authority of a single case, though not fully approved, has governed judicial decisions. The language used is, "Although if the matter were *res integra*, it might admit of difficulty;" or "although the doctrine is not founded on good sense," or "not bottomed in reason," or "although the Court cannot approve or cannot understand the reasons," yet the authority of the case must be followed; and courts ought no longer to reason on the rule but adhere to it. On the other hand, a single case is frequently overruled, although it is declared that "no case can be entitled to more respect," or that it is a case to which "the Court looks with great respect," or that it is "a deliberate judgment," or because "the Court cannot conceive the principles upon which the decision is founded." Sometimes the Court says of a decided case that it stands altogether by itself, and sometimes the antecedent decision is tossed aside in a rude manner, as where Lord Ellenborough says, "The case referred to has had its day, and it is time it should cease."

These things are not to be lightly regarded, because your Lordships will be kind enough to remember what is the position of the lawyer who is called upon for his opinion. A case is laid by a client before his adviser. The latter searches in his books of precedents. He finds that a particular case has been decided which he thinks will govern the one submitted to him, and he gives his opinion accordingly. Then he goes into court, and finds, to his astonishment, that the case may be treated either for or against his client, in the manner I have described; the result being that it is impossible to predicate with any degree of satisfaction or of certainty beforehand what will be the issue of a cause. Now, is that a condition in which the law of the land should stand? Is this a condition in which what is denominated a science should be permitted to remain?

But there is a further and a great peculiarity in the law of England, which is this:—By a legal fiction it is supposed that the law contains within itself the materials for the decision of every case, however novel in its circumstances; and, accordingly, when the Judges have a new case before them, they do not profess to arrive at the law by reasoning, by theory, or by philosophical inquiry, but they profess to discover it by searching among the records of former decisions for cases which are supposed to be analogous to the case before them; and they derive from these analogies the rule which they desire for the determination of the particular case. I will refer your Lordships to the words of two of our most eminent Judges, explanatory of the mode of reasoning adopted by them for the determination of new cases. It was described by Lord Chief Justice Tindal in an elaborate case which occurred in your Lordships' House, where the circumstances were new, and the relation had not previously existed, and accordingly where new principles and modes of interpretation had to be discovered. On that occasion he said—

> "I think it a safer course on this occasion, as I find has been the opinion of other Judges from the earliest period of the law, to adhere to any rule that can be inferred from the cases, rather than to institute another, although another rule may appear upon general principles more reasonable and just."

No doubt Lord Chief Justice Tindal spoke in the spirit of the law in which he had been educated, and which he was bound to administer. But I leave it to your Lordships to consider whether it be advisable to continue to grope among the records of ancient cases until you find something similar; and to adopt new rules—not existing rules, be it observed—but new rules by inference from old cases, although other rules would "appear upon general principles more reasonable and just." Lord Wensleydale followed the Chief Justice, and he described the mode of procedure in new cases in these words—

> "This case, therefore, is in some sense new, as many others are which continually occur; but we have no right to consider it, because it is new, as one for which the law has not provided at all; or, because it has not yet been decided, to decide it for ourselves according to our own judgment of what is just and expedient. Our common law system consists in applying to new combinations of circumstances those rules of law which we derive from legal principles and judicial precedents; and, for the sake of attaining uniformity, consistency, and certainty, we must apply those rules, when they are not plainly unreasonable and inconvenient, to all cases which arise."

We are therefore led, whenever society gives birth to new combinations of circumstances, to the obligation of finding the rules which are applicable from such analogies as can be drawn from previous decided cases. Let your Lordships bear in mind the huge bulk of these eleven hundred volumes, and observe what an uncertain task it must be to find out from the chaos the materials for decisions on new cases. It is impossible to tell beforehand what may be the decision.

But a judicial opinion is also a legislative enactment. It decides a particular case, and it sets a precedent for all future cases. Therefore the Judges become legislators—legislators *ex arbitrio;* and, with this vast variety of material from which to select, what an impossibility for any one to ascertain beforehand the nature of the law that will be enacted. This is no idle statement or exaggerated picture. Let me bring it home to all your Lordships recollections by a simple narrative of what occurred the other day. Your Lordships remember, when the railway mania was rife, numerous companies were formed. Each company was initiated or formed by a provisional committee, who were appointed to take the necessary steps to bring the scheme into practical operation. Liabilities were incurred to a large extent, services were performed, goods were ordered, lawyers and surveyors were employed, and the liabilities of these committeemen were very serious. Many persons who had merely lent their names because they had been solicited to do so, found that actions were brought against them, although they had not participated in the acts which led to the debts for which they were sued. It was a new case; and the question arose, How was it to be dealt with? For years it was held that the only analogy to this system was that of partnership, and therefore, as a provisional committee most resembled a partnership, all the rules applicable to partnership were applied to these provisional committeemen. As we know, one partner is the agent of, and may bind another partner in all matters relating to the partnership; consequently it was held that the provisional committeemen who concurred in giving orders, did by those acts bind other committeemen who knew nothing of the transaction. The result was that hundreds were ruined. The liabilities thus created were of enormous extent, and many persons were obliged to leave the country; but at last it occurred to an eminent Judge, a Member of your Lordships' House, to question the analogy, and then it turned out that there was nothing of legal resemblance between a provisional committee and a partnership. Then happened that is continually occurring in this country. There was a flow of the tide one way, to be succeeded by a revulsion another way, and the refluent wave consequent upon the alteration of the judicial decision, in its turn, brought ruin to many who had trusted to the former exposition of the law. That is an example of the evil consequences of men being left without rudder, without light, without compass or chart, in traversing the immense sea of judicial precedent whenever a new combination of circumstances arises.

But those among your Lordships who are thoroughly conversant with the subject—and they are many—will perceive the gross logical error committed by lawyers in the use of the word analogy. Analogy, as your Lordships well know, means equality of ratios, the sameness of two relations; and thus, if one relation be well known, it may serve to explain the other which is less known. Objections, therefore, in the relation which is less known, may be repelled by showing that they do not hold good in the relation which is well known. Such is the correct use of analogy in Bishop Butler's celebrated work. But in the vocabulary of the lawyer analogy means nothing but "resemblance," and when he has found or fancied two things to be like one another, he calls them analogous, and treats them as subject to the same rules. Thus, in the case I have cited, a provisional committee was supposed to be like a partnership, and immediately the incidents of partnership were transferred to it. The reversionary interest of a married woman in stock held by her trustee was supposed to resemble what is called at law *chose en action*, and accordingly the properties of a *chose en action* were applied to it, to the great inconvenience of the community. Hence it is that Paley has described the pleading of lawyers as "a competition of" (falsely-styled) "analogies.

These dangers and fallacies in legal reasoning, both in argument and decision, are greatly augmented by the circumstance that the materials for competition and argument are of that loose, indefinite, and uncertain character which I have described. But even that is not the full extent of the evil. It is not merely that the materials are of this indefinite extent; it is not merely that the application of them is so uncertain; it is not only that they are sometimes weighed in one scale and sometimes in another, but there exists in English law a peculiarity which it will surprise your Lordships to know. That which is known and published and accepted, may be nullified by that which was wholly unknown until it is produced and applied. It is competent to counsel when arguing, and for the Judge when deciding, to produce a mere manuscript decision, something that has never been printed or published, and which no one has ever heard of before. The advocate produces it from his pocket-book, or the judge produces it from his pocket-book, and that is the law of England. So, when a case has been considered and is mature for decision, proceeding upon authorities printed and known to all, suddenly there is produced some manuscript and unknown case, by which former opinions are subverted, and the Judge yields to the force of this new discovery. Surely no one thinks that the law of England ought to remain in the state which I have described. In what way, then, is the change to be made? I intend to take Lord Bacon as my guide in his proposal to amend the laws of England, who describes exactly the work which it is my hope I shall be enabled to initiate, and which it will be the fortune of those who succeed me to complete. The first thing to be done with these Reports is to revise and to expurgate them, to weed them of decisions that are in contradiction with one another; where there are opposing decisions, to settle those which ought to remain; and to cleanse out and get rid of all matters that are not warranted by the present state of the law, or applicable to the existing condition of society. I divide the Reports into three classes. The first class would include all the old Reports to the end of the 17th century; the second would include the Reports of the 18th century and down to the death of George III.; and the third would include the Reports to the present time. I trust I may be successful in obtaining a Commission that may be directed for the purpose of accomplishing these objects. As to the old Reports, I propose that we should preserve only the conclusions properly come to; that in the second period we should weed the Reports of what is useless, and retain only those cases which are fit to be used as precedents; and to perform a similar work in respect of cases of the present time. The result will be a body of recorded precedents, brought into a moderate compass, and occupying, we may estimate, but a tenth of the bulk of the present Reports. The law being thus purified and refined, contradictions and uncertainties, if not entirely removed, will be materially reduced, and a much more satisfactory state of things will be the result. Such is the present state of the common law.

I now turn for a few moments to the corresponding state of the statute law, for there is a remarkable similarity between them. The statute law is contained in forty-three or forty-four thick quarto volumes, commencing with the 20th of Henry III. The statutes are printed without the least regard to order; there is no system or arrangement. They are printed just as they have been passed, chronologically. There is, of course, a great variety of subjects, and enactments on the same subject are dispersed and scattered over an immense extent of ground. Unfortunately, our legislation has been always extemporary. We wait till a grievance is intolerable, and then we apply ourselves to a remedy which does not go beyond the grievance. Our legislation has always been on the spur of the moment; nay, more, it unfortunately happens that the manner in which the legislation is conducted, contributes more than anything else to the evils that lie so palpably on the surface of the statute book. You have no persons to assist you who are trained or educated in the great work of legislative composition. But legislative composition is one of the most difficult things that can be conceived. When you address yourselves to a new statute, after having considered the general principle of the proposed measure, the Bill is subjected to the process of Committee, and there it constantly happens that things are grafted upon a statute, under misconception, at variance altogether from the original conception of the framer. Your new Acts are patches on an old garment. You provide for the emergency, but you pay not the least regard to the question whether the piece you put into the old garment suits it or not. Such being the mode of your legislation, it would be utterly impossible that your statute book should be other than it is—a mass of enactments and of statutes which are in a great degree discordant and irreconcilable. Hence the utter imposibility frequently of arriving at a consistent interpretation.

This, then, being the state of the law and of the statute book, what I propose is the course dictated by natural good sense, that it shall be revised and expurgated—weeding away all those enactments that are no longer in force, and arranging and classifying what is left under proper heads, bringing the dispersed statutes together, eliminating jarring and discordant provisions, and thus getting a harmonious whole, instead of having, as at present, a chaos of inconsistent and contradictory enactments. With that view, we have with considerable care, and, I am sorry to say, after a long period of time than I had desired, as the first step, examined and revised the whole of the statute roll from the 20th Henry III. down to nearly the end of the eighteenth century. The statutes that are weeded out may be described as those which are no longer applicable to the modern state of society,—enactments which have become wholly obsolete—enactments which have been repealed by obscure and indirect processes, which is one of the evils with which we have to contend, because it perpetually happens that a particular enactment is in effect repealed without its being said so, by the indirect process of another general law. Sometimes it is repealed silently by the introduction of another rule, if that rule be inconsistent; but while these conflicts exist, and until they are extirpated from the statute book, they are and will be constantly the cause of uncertainty. I may just bring to your recollection how common it is in a modern Act of Parliament to say, "all former enactments inconsistent with this Act are hereby repealed." Or you repeal so much of an Act as relates to such and such a matter; but it is often extremely difficult to determine what is inconsistent, and what is included in the words "relating to."

We have endeavoured to apply a remedy to this state of things. The task was one of great difficulty and delicacy. The reason for every alteration will be found in the schedule given opposite to the description of the enactment to which it applies. This was done in order that the work might be accomplished with something like that certainty and assurance of safety with which works of this kind ought always to be accompanied. You should be perfectly satisfied of the accuracy of the conclusion, that the particular enactment which is supposed to be swept away comes within the general clause of expired, obsolete, inconsistent, unnecessary, or repealed enactments. In carrying out this plan, of course it becomes most desirable to preserve intact all those ancient monuments of our legislation, connected with our political rights and institutions, on which no man should lay his unhallowed hands. Those statutes which may be considered to have become stones in the edifice of the constitution are preserved wholly intact; and no enactment or statute is touched that may be considered to have entered into the common law, or formed the foundation of any rule of practice or procedure, or may be referred to as the basis on which the right or title of property is made to rest. Such a work required great care and circumspection, so that in the process of excision no existing right should be impaired. When this is done — when the statute book has been cleared of superfluous and unnecessary matter—I hope to propose that another process be gone through to which the previous labour is merely introductory. The enactments spread throughout the statute book relating to different subjects must be brought together in a collected form. I shall propose, therefore, to have a systematic classification of the subject matter of your legislation, preserving, however, the order of time, because the order of time in regard to enactments is most material for the proper understanding of the law, but arranging the different portions of the statute book under appropriate heads, so as to present an accurate and methodical analysis of the law comprised under each head. And I hope, concurrently with this, that the corresponding parts of the common law extracted from the Reports may be added, so that in that shape you may have a digest of the present law, both common and statute. I use the word digest advisedly, because your Lordships may frequently hear any procedure of this kind described as an approach to codification.

Now, I am not at all disposed to disguise my own individual opinion that it is to the form of a code that the law of any advanced nation ought ultimately to be reduced; but I am not at all prepared to say that the law of England is now in such a state that it may be codified with advantage and success, and for this reason—that a codification of law is the last result which it attains when it has been perfected and has reached its maturity. But if law is still in a transitory condition, it is not fit for that process. I regard the English law as still in a state of progress, because you have still in it the relics of barbarous times—you have still got that absurd division between the province of common law and the province of equity; not the distinction which is inherent in the nature of things between the written rule and the equity required for its just application, but two antagonistic systems; because, my Lords, you still have cases which would be decided one way on one side of Westminster Hall, and another way on the other side of Westminster Hall. Therefore, until you have got over that, and are in a condition to tell your statesmen and jurists that there is now unity and concord and certainty in the law of England, and unity in its forms of procedure; until you have attained to that, which the process of digesting will, I hope, facilitate, and of which it will be the introduction, you are not in a position to approach the formation of a code. Neither are you in a position to approach the framing of the code until you have got among the body of your lawyers that which is still wanting; viz., precision of language, a complete and settled legal vocabulary, and accuracy in legislative construction and composition, which will supply the means of framing Acts of Parliament and rules of law with more simplicity, clearness, and exactness than at present characterize any of your attempts at legislation.

It is remarkable that the original proposal made in the reign of Edward VI., with regard to the improvement of our statute law, is thus recorded by Bishop Burnet in his "History of the Reformation," vol. ii. Speaking of a plan for the amendment of the law, sent up by the Commons to the Lords in 1549, he says:—

> "It was proposed that the common and statute laws should be, in imitation of the Roman laws, digested into a body under titles and heads, and put in good Latin. But this was too great a design to be set on foot or finished under an infant king."

The subject of the consolidation and expurgation of the statutes of this country was also brought forward again and again in the reign of Queen Elizabeth. Sir Nicholas Bacon proposed, in a few words, that "the Acts should be digested into titles," and expressed the same thing as I have, in a greater number of words, described as the systematic classification of enactments according to their subjects. Lord Bacon, in his last address to King James, offers a digest of the laws of England as an argument for the mitigation of his punishment. In 1650 a Committee was appointed by Parliament "to revise all former statutes and ordinances now in force, and consider as well which are fit to be continued, altered, or repealed, and how the same may be reduced into a compendious way and exact method." The same thing was repeated in 1653, when a Committee was appointed "to consider of a new model or body of the law;" but the most definite Resolution was that which was passed by your Lordships' House in 1816, in which, after conference with the other House of Parliament, your Lordships embodied your opinion of what was necessary with regard to the statute law in the following words:—

> "That from the present state of the statute laws of this realm, it is highly expedient that effectual measures should be taken to arrange the matters contained in the statutes of the United Kingdom of Great Britain and Ireland, and in the statutes passed in the separate Parliaments of England, Scotland, and Ireland respectively, under distinct and proper heads."

That Resolution, I am sorry to say, has not been acted upon. It stands upon record as a monument of what this House, after deliberation and consultation with the other House, determined ought to be done in this matter. Undoubtedly this task requires a great deal more labour than the weak force placed at my disposal could accomplish.

My Lords, the work that has been done has been the work of four years; yet you will not be surprised at that period having been occupied by it when I tell you that the services of two gentlemen only are at the command of the Lord Chancellor and the Law Officers of the Crown, and those two gentlemen receive such inadequate salaries that they are enabled to give up only such hours to this employment as they can subtract from their ordinary professional avocations. I hope and trust that in the debates on this measure it will be the opinion of the House that this proposal ought, both with respect to the common and the statute law, to be prosecuted with more effect. If it be prosecuted with more aid, I should hope that the process of revision and expurgation of the statute book will not take much more than another year; and then the arrangement and classification of the different subjects of our enactments may be proceeded with. In that way we may expect to have the body of our statutes relieved from the chaotic state of disorder in which it now stands. I intend, my Lords, that the Commission should also direct its inquiries into another important point—namely, the correction and improvement of the present system of reporting, because it is of no use to reduce, expurgate, methodize, and arrange that which exists, unless we have a means of preventing the recurrence of the evils which now exist.

If your Lordships should confirm that view, I shall undoubtedly at some future time ask you further, to give me a Committee for the purpose of ascertaining what is the best mode by which the future legislation of this country may be conducted so as to secure an improved form in the composition of Bills. When the task of expurgating and classifying the statutes has been completed, it will still be necessary to adopt some system for revising future reported, cases so as to check the uncertainty and confusion they introduce into the law. For, observe the manner in which error grows up in the law. A case is decided, say, by a Vice Chancellor, or by one of the courts of law at Westminster. The decision may be bad, but one of the parties to the litigation may not have the means of appealing against it, and so it is not corrected by a higher court. Then this bad law is recorded in the Reports, and passes unnoticed for three or four years. It is then cited as a precedent before another Judge. That other Judge says, "I find that Mr. Justice A B, or Mr. Vice Chancellor C D, decided a case from which the case now before me cannot be distinguished;" and thus a bad precedent is accepted and confirmed. The thing therefore becomes inveterate, and bad law is established, there being in our system no agency at all to exercise that which ought to be exercised—namely, an annual revision of the reported cases, with power to determine what is to be regarded as entitled to authority, and what ought not to be quoted hereafter for the purpose of determining the law. All this might be accomplished by what is called the institution of a Department of Justice. At all events, there ought to be some mode and power of revising these Reports from time to time, as long as you adhere to the practice of making them guides for judicial decisions. I could say much more on this difficult and important subject, but I am afraid I have already trespassed too long upon the time of your Lordships.

I trust I have not given an exaggerated or distorted account of the evils which require to be remedied. In the works of our best and most philosophical jurists those evils are forcibly depicted as matters loudly calling for legislative interference. It is with confidence that I submit the Bill which I now hold in my hand to your Lordships, and I earnestly hope that you will not allow this attempt to deal with a question of paramount importance to be added to the unsuccessful efforts of former years.

The noble and learned Lord then *presented* a "Bill for promoting the Revision of the Statute Law, by repealing certain enactments which have ceased to be in force or have become unnecessary."

Lord BROUGHAM said, their Lordships were deeply indebted to his noble and learned Friend for his full and luminous statement. He had often brought forward the same subject—the consolidation of the law—in both Houses of Parliament; but he did not think he had ever painted so dark a picture of the state of the law—both of the common and the statute law—as his noble and learned Friend had laid before them to-night. Not that his noble and learned Friend had at all exaggerated; on the contrary, he had given chapter and verse for all he stated, and in some respects he had passed rather too lightly over the evils which existed. His noble and learned Friend had laid down two propositions—one in reference to the consolidation of the common law as found in the decisions of the Judges, the other in reference to a revision of the statute law, and classing it under proper heads. Beyond doubt, the revision of the statute law would be a most useful, but, at the same time, a very difficult operation, and he believed it could only be done in one way—namely, by Parliament giving its confidence to certain individuals, and adopting the result of their labours almost as a matter of course. That confidence was equally required, whether it was a digest of the common law or a revision of the statutes; for if a Bill of a hundred and fifty or two hundred clauses were to be brought in for discussion in both Houses of Parliament, their Lordships knew by experience what the result would be. He joined with his noble and learned Friend in lamenting that we had not a Department of Justice, though he thought it would be entirely out of the question to allow it to have anything whatever to do with revising the decisions of the courts of law and equity. That the Reports contained many bad decisions was a fact which could not be disputed, but the only way in which those decisions could be altered was by the Judges themselves, by the appellate jurisdiction, or the act of the Legislature. He also agreed with his noble and learned Friend in thinking that many errors arose from the present mode of framing Acts of Parliament, and hoped that some change would speedily be introduced. He hoped his noble and learned Friend would be more successful than himself, and that in the end there would be some safe and convenient means provided of preparing and examining our legislative measures before they became law. If there were some Department charged with this duty, in the end no one would bring in a Bill, or propose an Amendment in a Bill, without consulting it. He gave his cordial assent to the first reading of the Bill.

LORD CRANWORTH said, his noble and learned Friend proposed two objects as likely to arise from the present measure —a consolidation and abridgment of the decisions of the courts of common law, and a revision of the statute law. With regard to the first of these objects, the consolidation of the common law, he was afraid, though he should be most happy to find himself mistaken, that his noble and learned Friend had undertaken an impossible task. It was a fallacy to talk about doubts as to what the law was, as being that which gave rise to the difficulties in administering the law. Except in comparatively rare disputed cases, there was no difficulty in ascertaining what the law was; but it was impossible to make a law *ab ante* which would exactly meet all the different combinations of facts which arose in the varying circumstances of social life. All that could be done was to apply the analogies of former cases to the new circumstances which arose from time to time. If a new state of circumstances arose to which former principles could not be applied, it became then the duty of Parliament to interfere and make a new law. He admitted that lawyers, unknown to themselves perhaps, might be bound by trammels which made them sometimes obstinate with reference to proposed reforms; but he did not believe, that if a perfect code were drawn up, it would make the law a bit more certain than it was now. Even the Code Napoléon did not make the law more clear when difficult questions arose. Some time ago there was a case before the Privy Council in which it became of great importance to ascertain what was the law of France. The opinion of twelve of the most eminent lawyers the Bar of Paris could produce was taken, and six of them decided one way and six another. No code could say what would be the law on a set of circumstances arising fifty years after. But he should listen with the greatest satisfaction to any proposal for making the law more clear, and if it could be done by the sort of digest proposed by the noble and learned Lord, he certainly should have nothing to say against it. With regard to the second branch of the subject, he rejoiced that the noble and learned Lord had introduced a Bill for the revision of the statute law. There were more difficulties in the consolidation or revision of the statute law than were apparent at first sight. He spoke with some experience on the subject, though he confessed that his efforts in this direction had not been so successful as he could have wished. Still, the criminal law and other subjects had been consolidated. In any attempt to consolidate and revise the statute law so as to make anything like a complete system of it, there was this difficulty at the outset—the whole law of the country might be codified, but it was impossible to codify the statute law, which was simply a supplement to rectify the omissions of the unwritten law. When he held the Great Seal, he came to the conclusion that the best mode of consolidating the statutes was to begin with the statutes passed in the last Session, and to read them through section by section, and to see exactly what had been done by Parliament on every subject, from the present back to the remotest time; then to take the Session before, and so on, working backwards. This had been done up to the commencement of the century; and if it were continued, he had no doubt that the work of revision and expurgation would in time be completed. But though they could not codify the statute law, they might greatly improve it by the consolidation of all the various laws relating to the subject —for instance, the Church. In respect of the first object, therefore, he did not think his noble and learned Friend's Bill would lead to any result; but, with regard to the latter, he thought it perfectly practicable, and he wished his noble and learned Friend success.

LORD KINGSDOWN said, that one great objection to the codification and revision of the statute law, in addition to the difficulties of which the noble and learned Lord had just spoken, was, that they might settle the statute law of England under half a dozen different heads, but they had Parliament sitting every year which passed many new laws, which would unsettle those that had already been consolidated or codified. He thought that the proposition made in reference to those statutes which were no longer in force would work very great convenience to lawyers and others; but still he thought that there would be very great difficulty in carrying it into effect. He agreed that there was very great inconvenience arising from the multitude of Reports of decisions in the law courts, there being frequently three or four sets of Reports for one court published by different booksellers, who competed for the priority of furnishing information. His noble and learned Friend proposed a Commission to examine these different Reports, and purge them of what was contradictory or inconsistent; but surely this would be to substitute the Commission for their Lordships' or some other competent court of appeal. The Commissioners also must decide without argument, or they must have the cases re-argued before them.

The LORD CHANCELLOR said, he wished to guard himself against being supposed to be attempting a codification of the law, for a codification would imply a re-writing of the law. He by no means intended that, for a great part of the statute law had received judicial decision settling its meaning; and to substitute a new text would be to give abundant cause for controversy. It was said that each line of the Statute of Frauds was worth a subsidy; but, on the other hand, it was said that the cost of construing that statute had amounted to half a million. What he proposed in reference to the statutes was simply this:—to bring together the dispersed enactments, according to subjects, and to make an analytical digestive arrangement according to the natural order, and to harmonize the statutes thus brought together, where it was found that there were opposing enactments. As to the decisions, what was the course now adopted by text writers? The book of his noble and learned Friend (Lord St. Leonards) upon the law of vendors and purchasers of estates was accepted by the Courts as a code or digest of the decisions upon that subject. The way in which this was done was by the writer expunging what he considered bad, and retaining that which was good in the decisions; and if this could be done upon that subject, surely it might be done upon others. In conclusion, he could only express the hope that he would have their Lordships' assistance in dealing with the measure now before them.

Bill read 1ª; and to be *printed.* (No. 133.)

REDEMPTION OF RENTS (IRELAND) BILL [H.L.]—(No. 110.)

COMMITTEE.

House in Committee (on Re-Commitment) (according to Order).

Clause 10 (Reservations or Exceptions to go with the Rent).

THE EARL OF DONOUGHMORE moved the addition of certain words to the clause, with a view to refer sales of Reservations of Minerals to a Judge of the Landed Estates Court for his sanction.

THE EARL OF BELMORE said, that he thought that the best thing to do with the clause was to omit it altogether. Here was a Bill to provide for the sale of certain fixed rents by a tenant for life, the proceeds to be invested for the good of the estate. There was no objection to that, as any accountant could compute the value of such rent; but this clause provided that all exceptions and reservations, such as minerals and other royalties, might also be sold. These royalties might be of very little value now, but it was impossible to tell what the value of them might be hereafter, and how much the remainderman might be damaged He hoped his noble Friend would not press the clause, of which he moved the ommission.

THE EARL OF DONOUGHMORE having replied,

Amendment *agreed to.*

On Question, That the Clause as amended stand Part of the Bill? *Resolved* in the *Affirmative.*

Amendments made: The Report thereof to be received on *Monday* next; and Bill to be printed as amended. (No. 134.)

DUCHY OF CORNWALL MANAGEMENT BILL [H.L.]—(No. 118.)—REPORT.

Amendments *reported* (according to Order.)

THE DUKE OF NEWCASTLE said, that he proposed to strike out Clauses 8, 9, and 10, which related to the purchase of land from incapacitated persons. The principle was a new one, and he hesitated to adopt it, particularly as the same object, he believed, could be accomplished under the Settled Estates Act. With regard to Clause 39, regulating the grants of sites for churches, chapels, or schools, he had given notice of one in substitution of it, which he believed satisfied the objections heretofore urged against this provision.

Clauses 8, 9, 10, and 39 *struck out.*

New Clause moved in substitution for Clause 39, by which the Duke of Cornwall is empowered to grant buildings or sites for churches or chapels, burial-grounds or cemeteries, and for residences for the ministers; and for parochial or district schools, and for residences for the masters or mistresses; and also buildings or sites for buildings solely for the purpose of Divine worship by any denomination of non-conforming Christians; but the grant for any one of these purposes is limited to one acre, or a building not exceeding in value £200.

New Clause *agreed to.*

Bill to be read 3ª on *Monday* next; and to be *printed* as amended. (No 135.)

House adjourned at half past Seven o'clock, to Monday next, half past Ten o'clock.

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HOUSE OF COMMONS,

Friday, June 12, 1863.

MINUTES.]—New Member Sworn—Sir George Conway Colthurst, baronet, *for* Kinsale.

Supply—*considered* in Committee *—Civil Service Estimates.

Public Bills—*First Reading*—Local Government Supplemental * (No. 2) [Bill 165].

Committee—Fisheries (Ireland) [Sir Robert Peel] [Bill 137]—r.p.; Regimental Debts, &c. * [Bill 149].

Report —Regimental Debts, &c. *

Considered as amended—Innkeepers' Liability (No. 1) [Mr. Wykeham Martin] * [Bill 157].

Third Reading—Drainage and Improvement of Land (Ireland) * [Bill 106], and *passed;* Cayman Islands (*Lords*) * [Bill 132], and *passed.*

FISHERIES (IRELAND) BILL [Sir Robert Peel]—[Bill 137.]

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Colonel **VANDELEUR** expressed a hope that the right hon. Gentleman (Sir Robert Peel) who had charge of the Bill would make some statement as to its provisions.

Sir **ROBERT PEEL** said, that he intended to have made a statement on the introduction of the Bill, but he was prevented by the lateness of the hour. At that moment he thought it would only be a waste of time to enter into such a statement, as the number of Amendments of which notice had been given would afford ample opportunity for discussing minutely every portion of the Bill.

Mr. **SCULLY** said, that an Act of Parliament, which he would admit to be bad and únjust, was passed twenty years ago. That Bill, however, conferred rights that ought not to be taken away without compensation. The difficulty was to provide a sufficient compensation fund. He thought that the Commissioners under the Bill might ascertain the existing incomes and profits of those having interests under the Act of 1842. Let these parties produce their books and show the value of their fisheries, and then the House might determine whether they should be bought off at twenty years' purchase or by annuity, whenever a compensation fund could be provided. A common fund might be created by a percentage on the takings in the various rivers, and every obstruction might be thus gradually removed, beginning with those obstructions nearest the sea. Perhaps a tax of so much in the pound might be laid upon the takings of individual anglers. He thought that the Secretary for Ireland ought to have made a statement as to the object and provisions of the Bill before moving the House into Committee. The measure would enormously increase the value of the fisheries in the upper waters, and the proprietors of those fisheries ought not to receive the whole benefit of the Bill.

Sir **HERVEY BRUCE** said, it seemed to be the general opinion that a Salmon Fisheries Bill was necessary, but he was not of that opinion. He should, however, offer no opposition to the measure, if care was taken to protect adequately the vested interests in the matter. He believed, although the Bill was the result of a compromise, yet it would have the effect of destroying the sea fisheries and the fishing by bag nets, and that merely for the benefit of the proprietors of the upper water fisheries. He contended that the anglers were the great destroyers of fish, and not the nets in the sea.

Mr. **H. A. BRUCE** said, the Bill did not interfere with the nets in the sea unless they were within three miles of the mouths of rivers.

Sir **HERVEY BRUCE** said, that sea salmon could only be taken near the mouths of rivers, and therefore the Bill would practically destroy the sea salmon fisheries

Mr. **COX** said, he wished to ask why, if the hon. Baronet's sea fishery was of so little use to him he should oppose the Bill? He believed that the bag nets destroyed hundreds, thousands, and tens of thousands of small fry. Why should people in London pay 2*s.* or 3*s.* per pound for salmon, when, if the fish were properly protected, it might be had for half the money? He would agree that compensation ought to be given when the legal rights of persons were taken away.

Mr. **CONOLLY** asked, why the Secretary for Ireland had given no explanation of the objects of the Bill?

Sir ROBERT PEEL said, he had abstained from saying anything on the Motion for going into Committee, in order that some progress might be made with the clauses. The measure was introduced by the Government because it was clear that the Bill of the hon. and learned Member (Mr. M'Mahon) could not pass. A meeting of proprietors and parties interested, representing the upper and lower waters was held in one of the committee-rooms. Some independent Members were also present, and a fair compromise, it was thought, was arrived at. The Bill made no alterations in the existing law except in four matters: it prohibited all new fixed engines; it prohibited existing bag nets in estuaries; it provided for an extention of the weekly close time; and lastly it increased the licence duty payable on fixed engines. It was proposed, with the consent of the Treasury, to appoint three Commissioners to carry out the provisions of the Act forthwith; and it was of great importance that the passing of the Act should not be delayed. The mouths of the rivers would be defined by the Commissioners. In Scotland no fixed engines were allowed within five miles of the mouth of the Tweed, and why, he would ask, should there be exceptional legislation in Ireland? He implored the House to go into Committee on the Bill.

Mr. WHALLEY said, he would strongly urge upon the House to go into Committee on the Bill, which was of the utmost importance to the preservation of the fisheries in Ireland.

Mr. CONOLLY said, that he should give the strongest opposition to the proposition for prohibiting the erection of any new fixed engines, which appeared to savour of despotism, and was at variance with the principles of the constitution.

Mr. BERNAL OSBORNE: What constitution?

Mr. CONOLLY: I am not so well acquainted with that subject as the hon. Member. It is said that a little learning is a dangerous thing. The hon. Gentleman is one of those who know a little of everything.

Mr. BERNAL OSBORNE: Drink deep.

Question put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee).

Clauses 1 and 2 *agreed to.*

Clause 3 *postponed.*

Mr. Conolly

Clause 4 (Bag Nets not to be used except in the open Sea, at a distance of more than Three Miles from the Mouths of Rivers).

Mr. LONGFIELD said, he would move as an Amendment that "no fixed engine or net should be used in tidal waters unless the same shall have been erected or used under grant or charter." He wished the Commissioners to ascertain what rights existed under grants or charters, and to abolish all fixed engines erected under colour of the Act of 1842.

Sir ROBERT PEEL said, the Amendment would strike at the principle of the Bill, and would have the effect of confiscating a large extent of property. It would, in fact, abolish every fixed engine in Ireland, because there were none there established by Royal Charter. Nearly all those in existence were created under the Bill of 1842, and none were of older date than 1809. He could not, therefore, consent to the Amendment, which would not be in accordance with the compromise which had been come to on the subject.

Mr. MONSELL said, that the effect of carrying the Amendment would be to leave the fisheries of Ireland in their present condition. The Bill would confer enormous benefit on the Irish fisheries, and he should be sorry to see it withdrawn.

Lord NAAS said, that the Amendment simply raised the question between the Bill of the hon. Member for Wexford (Mr. M'Mahon) and that of the Government. He thought it would be better to take the measure as it stood.

Mr. BERNAL OSBORNE said, the only chance there was of getting a measure passed on the subject was by accepting the Bill. Now, the Amendment of the hon. Member would in reality destroy the present Bill. He thought that some provision should be made in the Bill with regard to the cod-fishers. They destroyed an immense amount of fish, and therefore something ought to be done with regard to them.

Mr. CONOLLY said, that in the estuary of the Suir especially the evil to which the hon. Member for Liskeard (Mr. Bernal Osborne) referred, existed. The cod-fishers were a set of marauders, who acknowledged no law. He had seen ten nets at a time sweeping in that estuary, so that it was impossible for a single fish to escape.

Colonel DUNNE said, he had never expressed a wish that the Government should bring in the Bill, for he had no confidence in any measure they were likely to propose.

He did not believe that persons who owned fixed engines in tidal waters had any legal rights under the Act of 1842.

Mr. FENWICK said, that bag nets had existed in England for many years, and they had been a source of considerable revenue, yet the use of those bag nets was not only abolished by the English Salmon Fisheries Act in rivers and estuaries, but also in the sea itself. It was, however, understood that the Irish measure was to be a compromise, and he would recommend the hon. and learned Member to withdraw the Amendment. At the same time, if the hon. and learned Gentleman went to a division, he should be bound in consistency to Vote with him.

Mr. BUTT said, that the English Act did not sweep away stake nets and fixed engines that were in existence at the time of the passing of the Act.

Lord NAAS said, the hon. and learned Member was entirely in error, for he could give him the instance of the Derwent in Cumberland, where there were many fixed engines and nets in which property had been acquired, and they were all swept away by the English Bill.

Mr. SCULLY said, he did not see why, if an injustice had been done in England, it should be extended to Ireland.

Mr. LONGFIELD said, he would withdraw the Amendment.

Mr. M'MAHON said, he had been no party to a compromise.

Mr. H. A. BRUCE said, he could corroborate what had been said by the hon. Member (Mr. Bernal Osborne) as to the injury done to the salmon fishery by the cod-fishers in some of the Irish rivers.

Sir ROBERT PEEL said, he would see if any provision could be framed to meet the case.

Amendment, by leave, *withdrawn.*

Colonel VANDELEUR said, he wished to move, in line 17, after the word "bag net" to insert the words "extending more than thirty fathoms from low water." The Bill proposed that no bag net should be placed in any estuary, and he thought that the Bill ought to define where an estuary ended and the sea commenced.

Sir ROBERT PEEL said, he thought the Amendment inexpedient, and that it might be left to the new Special Commissioners to make the definition.

Mr. BUTT said, he could not see why bag nets were to be confiscated without compensation any more than stake nets. A friend of his (Mr. French) had bag nets in Cork Harbour, which did not in any way interfere with the navigation, and which produced about £300 or £400 annually. Now, by the Bill, those nets would be entirely confiscated.

Sir ROBERT PEEL said, that fixed engines had almost annihilated the fishery in various parts of Scotland and Ireland. The Duke of Richmond stated that since fixed engines had been abolished in the river Spey the fish had enormously increased. The stake net was subject to tidal influences, and was not always at work, but the bag net was always destroying and capturing salmon.

Mr. H. A. BRUCE said, he would admit that where the proprietors of bag nets were not also the proprietors of stake nets, some hardship would be inflicted under the Bill, and that the claims of these parties to compensation might fairly be entertained. He trusted that the Commissioners might be able conscientiously to lay down such a definition of an estuary as would exclude the bag nets in Cork harbour from the operation of the Bill.

Mr. LONGFIELD said, he was sorry to hear the hon. Under Secretary for the Home Department express a hope that consistently with their conscience the Commissioners would be able to preserve the bag nets of Mr. French in Cork Harbour, while they were to abolish those in the Shannon. Out on such legislation! He had now lost all confidence in the Bill. He would deprive the Commissioners of making any such absurd distinction as that between preserving the bag nets in Cork Harbour and sweeping away those in the Shannon. Such a distinction was not only absurd, but unjust, and almost incredible.

Sir ROBERT PEEL said, that all that his hon. Friend intended to convey was, that if Mr. French had a case for compensation, the Government were ready to consider it. It was for the Committee to determine whether the Commissioners should have the power of defining what constituted an estuary. For himself, he believed that these bag nets were most pernicious to the fisheries. That principle was the basis of the Government Bill; but, at the same time, if the Committee desired to modify it, the Government were ready to consider the matter in a liberal spirit.

Mr. LONGFIELD said, that the hon. Under Secretary for the Home Department had expressed a wish that it might be possible for the Commissioners conscientiously to distinguish between the bag nets of Mr. French and those of other persons. Of course the Committee knew what view the Commissioners appointed by the Government would be likely to take of any given subject after such an expression of opinion.

Sir ROBERT PEEL said, the clause under consideration was an important clause, and the Government intended to strictly adhere to it, but he did not think there was any chance of passing it at that sitting. They had been sitting three hours and three quarters, and had not made much progress; and as there were no less than sixty-six Amendments on the paper, he proposed to have another morning sitting on Tuesday, when he hoped that some progress would be made with the Bill.

Mr. M'MAHON said, he would recommend the right hon. Gentleman to fix the next consideration of the Bill for a Government evening. He was very much afraid, from what the hon. Gentleman (Mr. Bruce) had said, that the Government were not going to adhere firmly to the Bill as it was brought before the House. The people of Ireland would be better pleased with the rejection of the Bill than to see some of the Amendments adopted by the Government. If the Bill were in consequence defeated or withdrawn, he should move on the first night of next Session for leave to bring in a Bill of a single clause—namely, that the provisions of the English Fisheries Act be extended to Ireland.

Colonel DUNNE said, that a morning sitting on the following Tuesday would be inconvenient, because the Holyhead Committee sat on that day.

Sir ROBERT PEEL said, he could only repeat that he intended to propose a morning sitting for Tuesday, when he hoped it would be convenient for hon. Members to attend. That was the only way of promoting the progress of the Bill, and he could assure the hon. and learned Member for Wexford that the Government would not have given half the time they had done to drawing up and preparing the Bill if they had not been in earnest in their intention to proceed with it.

Colonel VANDELEUR said, he would withdraw his first Amendment.

Mr. BUTT said, he would move that the Chairman should report progress, in the hope that before Tuesday the clause might be so amended as to go through Committee without discussion.

Mr. Longfield

Lord NAAS said, he objected to that course.

Motion *negatived.*

Amendment *withdrawn.*

Mr. REDMOND moved in clause 4, line 17, after " 12," to insert " no bag net now placed shall be."

Amendment *negatived.*

House *resumed.*

Committee report Progress; to sit again on *Tuesday* next, at Twelve of the clock.

FORCED LABOUR ON THE SUEZ CANAL.

QUESTION.

Mr. DARBY GRIFFITH said, he would beg to ask the First Lord of the Treasury, Whether a statement published by M. Lesseps had reached the Government, asserting that the Turkish Despatch prohibiting forced labour on the Suez Canal, &c., was anterior to Conventions of the 18th and 20th of March last, by which all the questions relating to the cutting of the Canal were settled in conformity with the engagements of the Egyptian Government; and whether those latter expressions were to be considered to mean the continuance of forced labour; and, if so, whether the British Government would oppose any such transaction?

Viscount PALMERSTON said, in reply, that Her Majesty's Government had no knowledge of the communication from M. Lesseps to which the hon. Gentleman alluded. The Sultan, in virtue of his sovereign rights over the whole of his dominions, of which Egypt formed a part, had extended to Egypt the laws against forced labour for any purpose, which had long prevailed in other portions of his Empire. Her Majesty's Government conceived that he had a perfect right to do that in his own dominions; and no foreigner, whether he was a person engaged in commercial speculations, or a representative of a foreign Government, had any right to obstruct the Sultan in carrying into execution that law, which was founded on a just consideration of the interests of his subjects, and which already prevailed in every other portion of his dominions. Of course, Her Majesty's Government would give the Sultan every support in his endeavours to carry that law into effect.

PROTESTANTS IN SPAIN.

QUESTION.

Mr. WHALLEY said, he wished to ask,

Whether any information has been received by the Government in reference to the final disposal of the Protestant prisoners Matamoras, Alhama, and Trigo, lately condemned in Spain for reading the Bible?

Mr. LAYARD: As the House is probably aware, deputations from this country —one consisting of members of the Society of Friends—proceeded a short time ago to Madrid, in order to intercede with the Queen of Spain on behalf of these unhappy men, who were condemned to seven years' imprisonment for having become converts to Protestantism. Memorials were also sent to the Queen of Spain from different countries in Europe, and deputations from those countries proceeded to Madrid. One of those memorials was from the Catholic ladies of Holland, praying the Queen to grant the prisoners the same freedom of conscience which the Protestant Government of Holland accorded to Catholics in that country. Another was from the Protestants of Austria, asking the Catholic Queen of Spain to grant the same liberty of conscience which they enjoyed in Austria under a Catholic Government. Her Majesty's Government, while taking the deepest interest in those deputations, and desiring that the objects for which they proceeded to Madrid should be fulfilled, were unable to give them any actual official support. They, however, gave them all the assistance they could. It appears — I cannot say how far in consequence of the representations made by those deputations—that the sentences on the prisoners have been commuted to banishment. I cannot inform the hon. Gentleman whether that banishment extends to an indefinite period, or is confined to the term for which they were condemned to imprisonment. I am unable to ascertain how that is. I believe that the impression of the deputations who went to Madrid is, that the term of banishment is limited to the number of years to which they were condemned to imprisonment—that is to say, to seven years. I need not tell the hon. Gentleman that I rejoice exceedingly at this result, which, there is reason to believe, is to a great extent to be attributed to the exertions of the deputations to which I have referred. Although banishment is a very severe punishment, still it is a great mitigation of the very harsh and inhuman sentence which was passed upon Matamoras and his companions.

THE INTERNATIONAL EXHIBITION BUILDING.—QUESTION.

Lord ROBERT CECIL said, he rose to ask the First Lord of the Treasury, Whether he has been rightly understood to say that no Plan is in existence of the architectural alterations which it is proposed to make in the International Exhibition Building; and, if so, on what data the Estimate of the cost of those alterations has been framed?

Viscount PALMERSTON said, in reply, that with regard to the question of the noble Lord, there had been no plan formed as to the conversion of the building, because all that was intended to be done was to complete the front, as it now stood, with stucco, and to convert the dome from glass into brick, with skylights at the top. The plan was, in fact, the building itself. What the surveyors thought proper would be done, but it was not a matter in which an architect had been called in for the purpose of making any plan.

Lord ROBERT CECIL said, he wished to know whether the noble Lord meant, by completing the architectural alterations of the building, facing it all over with stucco?

Viscount PALMERSTON: Completing the architectural alterations required means the rendering more permanent, and more in conformity with what is usual in buildings, the surface, which is not now so completed.

AFFAIRS OF PARAGUAY.

QUESTION.

Mr. BERNAL OSBORNE said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether a Convention between the Government of the Republic of Paraguay and Her Britannic Majesty was concluded at Assumption on October 14, 1862; if so, whether Her Majesty's Government will lay this Convention before Parliament?

Mr. LAYARD said, in reply, that a Convention, in the strict sense of the term, had not been concluded between the two Governments. An agreement had, however, been come to between the English Representative at Buenos Ayres, who had proceeded on a special mission to Paraguay, and the President of Paraguay, which had been approved by Her Majesty's Government. To the production of that agreement there would be no objection.

THE INTERNATIONAL EXHIBITION BUILDING.—QUESTION.

Mr. CRAUFURD said, he would beg to ask Mr. Chancellor of the Exchequer, Whether the offer of £80,000 made to Messrs. Kelk and Lucas for the removable portion of the Exhibition Building at Kensington was in writing; if so, whether there is any objection to lay a Copy thereof upon the table of the House; and whether the Estimate upon which that offer was made was prepared by Mr. Hunt, the Surveyor to the Office of Works, and on what data; and whether there is any objection to a Copy of any such Estimate being laid upon the table of the House?

The CHANCELLOR of the EXCHEQUER, in reply, said there was no document of any kind in reference to that matter which could be produced. The offer of £80,000 was not made in writing, but was made in the course of a conversation by him on the part of the Government, to the hon. Member for Finsbury (Sir Morton Peto) on the part of the contractors. With regard to the Estimate on which that offer was made, he had to state that it was the result of a careful examination made by Mr. Hunt, the Surveyor to the Office of Works, into the value of the materials of which the building consisted, together with all the information he possessed as to the probable opportunity of disposing of them. In estimating the value of the materials careful measurements were made for the purpose of ascertaining the quantities of them that were used. That was, he believed, the process usually adopted when people desired to make the nearest estimate that could be formed of what was the "removable value." But that value was not susceptible of any very close estimate, because so many circumstances, which cannot be minutely estimated, come into the question of the price that might be obtained for such materials. Of course it was very natural that in a question of that kind the estimates of the two parties should differ; and the hon. Member would see that it was stated in the Correspondence, that in the opinion of the contractor, £80,000 was less than even the removable value.

Mr. CRAUFURD said, he wished to know, whether there would be any objection to lay those measurements before the House?

Mr. GREGORY said, that the Messrs. Kelk and Lucas were supposed to make great sacrifices; but he wished to know whether the paper prepared by Mr. Hunt did not show that the removable value was only £30,000, and whether the right hon. Gentleman was not aware of that fact?

The CHANCELLOR of the EXCHEQUER replied, that he was not aware of it; but he certainly was aware of the contrary. Whether the paper of Mr. Hunt showed the number of bricks, the number of squares of glass, together with their thickness, and the weight of iron, and the number of feet of timber in the building, he was unable to say; but he did not think that such details as those would afford any additional knowledge to the House.

MEDICAL DEPARTMENT OF THE INDIAN ARMY.—QUESTION.

Mr. MACEVOY said, he would beg to ask the Secretary of State for India, Whether the terms of the amalgamation of the Medical Departments of the Queen's and of the Indian Army have yet been settled, and when they will be stated to the House?

Sir CHARLES WOOD said, he was sorry to have to state that objections were entertained at the War Office to the arrangement which had been proposed upon that subject, and he was not at all sure what would be the ultimate result.

EMPLOYMENT OF MR. NAGLE.

QUESTION.

Mr. FITZWILLIAM said, he wished to ask the Under Secretary of State for the Colonies, If Mr. Nagle, formerly Harbour Master at Victoria, V. I., held any office under Government at present?

Mr. CHICHESTER FORTESCUE said, in reply, that Mr. Nagle had some time since been dismissed for irregularity from the office of Harbour Master at Victoria; but he could not state whether or not Mr. Nagle at present held any office in that Colony.

THE GLASGOW MURDER—CASE OF JESSIE MACLACHLAN.

QUESTION.

Mr. MURE said, he would beg to ask the Secretary of State for the Home Department, Whether he will lay upon the Table a Copy of the Presiding Judge's Notes of the Evidence at the Trial of Jessie Maclachlan at Glasgow in September last?

Those Notes were the only authentic record of the Trial; and, instead of them, there had only been produced a full Report of what took place upon the occasion with a description of the witnesses and of the sensation they produced in Court.

Sir GEORGE GREY said, in reply, that the Report of the Trial he had produced was the only one he had in his possession. It was the work of a shorthand writer, and contained a full account of the proceedings. The Notes of a Judge only contained what he thought important, and in no instance, as far as he (Sir George Grey) was aware, had such notes been produced.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

ORDER OF BUSINESS.—QUESTION.

Sir STAFFORD NORTHCOTE said, he should be glad to know when Supply would be taken, as he had given notice to raise upon the consideration of the Report a question with regard to the Education Vote.

Viscount PALMERSTON: We do not propose to bring on Supply after ten o'clock this evening. The progress of the public business, however, must naturally depend on the course taken by those hon. Members who have given Notices of Motion on the question that the House go into Committee. I may, perhaps, take this opportunity to ask the hon. Member for King's County whether he would be good enough to put off to some other day the Motion with respect to Poland, which stands in his name for Monday next, in order that we may proceed with the discussion in reference to the Exhibition Building? It is of importance that that question should be disposed of without delay; and if the hon. Member should be good enough to accede to my suggestion, other hon. Members who have notices for the same day will, I trust, be good enough to postpone them.

Mr. HENNESSY said, he could assure the noble Lord that he was always disposed to assent to any suggestion with respect to the conduct of the business of the House which he might make. He must, however, at the same time, observe that ever since the papers respecting Poland had been laid on the table he had been on the look-out for an opportunity to bring the subject of his Motion under the notice of the House. He had at length succeeded in securing such an opportunity; and if he should consent not to avail himself of it, he trusted the noble Lord would give him the Thursday or Monday following.

Viscount PALMERSTON: There will, I think, be no difficulty in giving the hon. Member precedence on Monday week—always on the assumption that the courtesy which he has displayed will inspire other hon. Members to act in the same way.

Lord NAAS said, he wished to call the attention of the House to a question of some interest with respect to the precedence of Motions on going into Committee of Supply. Last night several Motions on going into Supply, of which notice had been given, stood upon the Paper. His own name stood, he believed, third upon the list, and fifth or sixth in order came that of his hon. Friend the Member for King's County. That being so, his hon. Friend the Member for Galway asked the noble Lord at the head of the Government whether the Vote for the Exhibition building would come on upon Monday. The noble Lord replied in the affirmative, and subsequently the hon. Member for Honiton asked the hon. Member for King's County whether he intended to bring on upon that day the Motion which stood on the paper in his name. The answer was that such was his intention; and the result was, it appeared, that the order of the list of notices on going into Supply was changed, and that he now stood third instead of first on the list, while the Motion of the hon. Member for King's County stood first. He wished, under these circumstances, to know whether it was necessary that an hon. Member should give notice of his intention to proceed with a Motion a night or two before its coming on in order to maintain for himself that precedence which he previously had. He wished to ask what was the rule with reference to the precedence of Motions on going into Committee of Supply, and whether it was necessary that a Member should the night before give notice of his intention to bring on such a Motion.

Mr. HENNESSY wished slightly to correct the noble Lord as to a matter of fact. What occurred was this. Before the Questions which had been referred to were asked, he went to the Clerk at the Table, and seeing in the Order Book a printed notice that the noble Lord would bring on Supply on Monday, he asked the clerk to put his name down for that night. The clerk replied, "If that is done, it must be struck out to-night." He said, "Certainly." He was also informed that he should lose his position on the general Supply list, and said that he was prepared to run that risk.

MR. HORSMAN thought that the House was getting into a new system with regard to these Motions on going into Committee of Supply. The noble Lord's name had for several nights been down in connection with a Motion on the subject of China, and of course hon. Members who were after him had no chance of bringing on their Motions. The noble Lord when called, however, did not answer to his name. According to the old rule, he would lose his place, his notice would become dropped, and he would have to give a fresh one. He wished to know whether it was now, contrary to that rule, competent to any hon. Member to retain his name on the paper say for a month, thus blocking out the Motions of all the Members who stood below him.

LORD ELCHO said, he would beg leave to repeat a Question which he put to the Chief Commissioner on Tuesday last, as to whether there was in existence any Report of a competent surveyor upon the condition of the Exhibition Building; and, if not, whether he would present a more detailed Estimate than was then before the House; and also to ask, whether, if it was not desirable to purchase the building, it would be competent for the Government and the House to purchase the sixteen and a half acres of ground on which it stood, without the building?

MR. COWPER said, he had ascertained that there was no report from Mr. Hunt which would give the information which was desired; but he found that the detailed estimate which had been laid upon the table of the House did pledge Mr. Hunt's authority for the fact, that £154,000 would make the building thoroughly and perfectly substantial. The House would only take the fact on Mr. Hunt's authority, and that seemed to be a more convenient form in which to obtain his opinion than by a mere report. Mr. Hunt had no doubt that the foundations were ample. The building was upon a depth of gravel of fourteen feet; the drainage was very good; and therefore the whole of the £154,000 would be expended upon making the fabric itself permanently substantial. With reference to the last Question, the noble Lord would see that the Vote was divided into three items—the purchase of the building was one, its repairing, altering, and eventually completing another, and the purchase of the land a third.

SIR JOHN TRELAWNY said, he wished to ask the hon. Member for Swansea, whether he intended to bring on the subject of the Irish Church on Monday?

MR. DILLWYN said, the Irish Church Motion stood for that night, but he had little hope of bringing it on. As, however, the noble Lord was in a good-tempered mood, and had given a night to the hon. Member opposite—a night for the discussion of the Motion on Poland—he trusted that he would also give one for a question which, he should think, would be more interesting to this country than even that of the hon. Member for King's County.

MR. HOPWOOD said, he wished to ask the Chancellor of the Exchequer, whether it was intended to move the second reading of the Public Works (Factory Districts) Bill on Monday?

THE CHANCELLOR OF THE EXCHEQUER said, that the Bill was under the more particular charge of his right hon. Friend the President of the Poor Law Board, but he believed that the House would not be asked to read it a second time on Monday.

MR. ARTHUR MILLS recalled the Speaker's attention to the question which had been put to him by the noble Lord the Member for Cockermouth.

LORD NAAS, in reference to the remarks of the hon. Member for Stroud, explained that his name did not stand at the top of the list, and therefore he could not have blocked out other motions.

MR. SPEAKER: I thought that the explanation which has taken place between the hon. Members had, in fact, answered the question which had been addressed to me. I believe that the clerks at the table endeavour to exercise their sometimes rather difficult duties with perfect fairness, and it appeared to me that the explanation which was given by the hon. Member for King's County (Mr. Hennessy) why it was that his name stood first for Monday had explained everything to the House that I could have done.

MR. PEACOCKE said, that perhaps the right hon. Gentleman would inform the

House whether an hon. Member who stood fourth or fifth on the list, could, by getting a friend to ask him a question, or by communicating with the clerk at the table, gain procedure over hon. Members whose names were before his.

MR. SPEAKER: The hon. Member will observe that there was a long list of Notices yesterday, and all the hon. Gentlemen whose names were prefixed to them might have availed themselves of the Motion for going into Committee of Supply to bring their Motions forward; but the only one who answered to his name was the hon. Gentleman whose name stood, I believe, last upon the list.

MR. FERRAND asked the Chancellor of the Exchequer, whether, considering that there were in Lancashire a great number of operatives suffering great distress, he did not think that the Public Works Bill ought to be pressed forward without any delay?

THE CHANCELLOR OF THE EXCHEQUER replied, that it was the intention of the Government to proceed with the Bill with all the despatch in their power.

MR. COX said, he wished to explain, that when, on the previous evening, he stated that Mr. Fricker and his two sons were all dismissed from a Volunteer corps after resigning their commissions, he was slightly in error. The two sons were dismissed by the commanding officer, before the expiration of fourteen days, but Mr. Fricker himself was allowed to retire by resignation.

MR. AYRTON said, he wished to ask whether the hon. Member for King's County had postponed his Motion with respect to Poland on Monday, on which day the Government desired to bring on a subject which was not yet ripe for discussion.

MR. HENNESSY said, that he had promised to postpone his Motion on condition that he got a day which he named, and which the noble Lord was good enough to give him.

VISCOUNT PALMERSTON: I agreed that the hon. Gentleman should have Monday week, on the assumption that other Members also withdrew their Motions which stand in the way of Her Majesty's Government. If that is not done, I presume the hon. Gentleman will bring on his Motion on Monday.

MR. BERNAL OSBORNE: I give the noble Lord notice that I shall bring on the question of the Irish Church, on going into Committee of Supply on Monday next, unless he gives me a night.

MR. HENNESSY: Under those circumstances, I must of course go on with my Motion relating to Poland, on Monday.

LABOURERS' COTTAGES (IRELAND).

RESOLUTION.

SIR HERVEY BRUCE said, he wished to call attention to a lengthened correspondence which had taken place upon the restrictions placed by the Board of Works in Ireland and the Treasury on advances for the building of labourers' cottages. He thought that the law in the two countries, in respect to those advances, ought to be assimilated. With the comfortable homes of the lower orders were inseparably mixed up the happiness and well-being of the people, and the unnecessary obstacles imposed by the Treasury, and the Board of Works had hitherto prevented expenditure to a sufficient amount from taking place in Ireland. Previous to the year 1859 English landlords were required to contribute a quarter of the cost of the cottages themselves; but in 1859 the law on that head was altered, and they were enabled to borrow the entire amount from the Lands Improvement Company, without advancing any money of their own. What was good for England ought to be equally good for Ireland, which was much the poorest country. The right hon. Gentleman the Secretary to the Treasury, and Sir E. Griffith, in the correspondence to which he referred, contended that the Act was passed on the understanding that the restriction should still apply to Ireland; but he had looked through the debates in both Houses and could find no trace of any such expression of opinion. He could not understand why a person having a small freehold or perpetuity should not be allowed to borrow a smaller sum than £200 for the building of a small cottage. He trusted the Government would reconsider the matter, and would, in a kindly spirit towards the Irish landlords, relax the restrictions which then existed. With that hope, he begged to move that the restrictions placed by the Board of Works in Ireland, and the Treasury, on the advance of money for the building of Labourers' Cottages in Ireland are inexpedient, and calculated to render the Act sanctioning the advance in a great degree inoperative.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the restrictions placed by the Board of Works in Ireland and the Treasury, on the advance of money for the building of Labourers' Cottages in Ireland, are inexpedient, and calculated to render the Act sanctioning the advance in a great degree inoperative,"—(*Sir Hervey Bruce,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. PEEL said, he would remind the House that it was not without considerable hesitation that Parliament consented to the extension of the Land Improvement Act so as to authorize the Government to make advances for the erection of farm buildings and labourers' cottages in Ireland. It was found necessary that some conditions should be laid down, not merely for the protection of the Government, but of the owners of property. Assuming the cost of a cottage to be £75, the owner of property was to provide £15, or one-fifth, and, besides, was to enclose a small yard at the back of the cottage at his own expense. On these terms he might borrow £60, or 4-fifths of the estimated cost, from the public; but, at the very outside, he would not be required to pay more than one-third. The object of these conditions was to secure the permanence of the improvement, and to obtain a proof of the interest which the owner took in the matter. No public money was advanced in this country for the building of cottages, but an Act of Parliament had been passed empowering a private company to lend money for the building of cottages without requiring that the owner should advance any money of his own. The law, however, compelled the borrower to ensure and repair the buildings, and, in case of neglect on his part, the company might do so and charge him with the cost. He might add, that he did not think the restrictions tended to make the Act inoperative in Ireland, for he found that in March last a very considerable sum indeed had been applied for.

Sir FREDERICK HEYGATE said, if the object of the Act was to encourage landlords to erect suitable cottages for their labourers, he did not understand why the extremely rigid specifications required by the Treasury and the Board of Works should be insisted on. For instance, they not only limited the amount to be advanced, but required that the cottages should be roofed with best slate, utterly ignoring the state of those parts of the country where tiles or stone might be used with less cost and equal advantage. Then again, the roofs were to be made of foreign timber—red or white deal. The last restriction had a tendency to discourage the growth of Irish timber, and to cause a great deal of money to be sent out of the country for the purchase of foreign timber. He trusted that the regulations would be revised and made less stringent.

Mr. POLLARD-URQUHART said, he was of opinion that the Act would be abused, and would inflict detriment on Ireland, unless the power of borrowing money for the purpose of building cottages was kept within salutary regulations. He thought more good might be effected by the landlords laying out money occasionally for the improvement of existing cottages than by any extensive borrowing of capital to build entirely new cottages.

Sir WILLIAM SOMERVILLE observed, that the legislation with respect to labourers' cottages in Ireland was entirely exceptional, and did not apply to England or Scotland. For many years Parliament declined to consider the question of advancing money to build labourers' cottages in Ireland, on account of the difficulty of guarding the measure against abuse. At length he introduced a Bill on the subject, for he then felt forcibly that nothing could be more disgraceful than the condition of the labourers' cottages in Ireland. That Bill ultimately passed through Parliament, though not without great opposition in the House of Lords. It was difficult to frame rules in respect to such a measure in order to prevent abuses, but he did not think it wrong that the landlord, in borrowing capital from the Government to build labourers' cottages, should at the same time advance a small portion of the requisite sum himself, as he would then probably feel a greater interest in seeing that the money was properly laid out. He thought that the regulations were not unreasonable, and hoped the hon. Baronet would not press his motion.

Sir HERVEY BRUCE said, that after the remarks which had been made he did not feel justified in pressing his motion.

Amendment, by leave, *withdrawn.*

CONDITION OF IRELAND.

SELECT COMMITTEE MOVED FOR.

Colonel DUNNE said, he rose to bring before the notice of the House the present depressed condition of Ireland, together with the amount of taxation imposed on that country, and to move for a Select Committee to inquire into the causes of such depression and the effect of the taxation which it now bears. It had been his desire to bring forward his Motion at an earlier period of the Session, and he should have had an opportunity of doing so but for the adjournment that took place on the death of Sir George Cornewall Lewis. He was sorry to say that the smallness of the attendance of hon. Members forced him to the conclusion that the House took but little interest in the condition of Ireland; but he held that her condition could not be considered alone, but must be coupled with that of this country, and that the destruction of one must be the destruction of the other. Any one who made a careful investigation of the subject could hardly doubt that the prosperity of Ireland had been on the decline for some years. Notwithstanding the fact that some writers were in the habit of denying that distress in it existed, and representing the prosperity of Ireland as something fabulous, any one who took a candid survey of the period since the Union must admit that the prosperity and improvement of the country had not been as great as might have been expected. He was not about to raise the question, nor to state and urge objections to the Union. He entertained no wild ideas in regard to repeal by violent measures. He rather wished to show at the present moment the means which would conduce to cement the Union, but he held that the only basis on which any Union could properly be maintained was that of mutual interest and perfect equality. In considering the state of Ireland, the first point to which he would refer was the decrease of population, for he did not hold the opinion of some that a great decrease of population was a sign or a cause of prosperity. The population of Ireland decreased from 8,178,000 in 1841 to 5,714,000 in 1861, which was but little more than the number of the inhabitants at the period of the Union. The population of England had doubled since 1800. In 1811 it was 10,164,256, and in 1862 it was 20,091,725, while in Scotland in the same period it had increased from 1,805,864 to 3,061,251. He would ask whether there was anything in the soil or climate of Ireland to account for this difference as regarded the increase of population in the two countries. Neither was the cause to be attributed to any want of industry in the people, for they prospered elsewhere. The decrease had been occasioned by famine, disease, and emigration; but it was a question that must strike any one, and he now proposed to discuss, and he believed he could show, why it was that the country had become impoverished during its connection with the richest country in Europe? In the second place, the official Returns showed beyond doubt there had been, moreover, a marked diminution of agricultural progress, both in respect of crops and stock. The agricultural exports had fallen off seriously since 1847; and the extent of land under cereal crops was also less. By these it was shown that between the years 1847 and 1861 there had been a decrease in cultivation of cereals of 678,806 acres, and still further in 1862—or of 6,630,836 quarters of different kinds of corn, which would not be of less value than £10,000,000. Ireland used to send £15,000,000 worth of agricultural produce to England, and £2,000,000 worth to London alone. The value of the exports of corn in the years 1841-2-3-4 averaged £4,000,000; in 1847 it had declined to £3,317,000; and in 1861 to £1,402,000; whilst at the present time, instead of exporting to other countries, Ireland was importing corn and cereal crops to the value of between £4,000,000 and £5,000,000. As almost everything depended on agriculture in Ireland, these results were indicative of great depression; for it should be borne in mind that 66 per cent were in Ireland employed either directly or indirectly in agriculture, and a large proportion of those who traded were dependent on its prosperity. The Chancellor of the Exchequer had himself admitted that between 1856 and 1860 there had been a decrease of above £12,000,000 on the principal items of agricultural wealth in Ireland. There was also a decrease in the acreage of meadow land, as well as in other different branches of agricultural industry. But it was said that there was an increase in the quantity of stock, and that if there was a diminution in the value of the produce of cultivation, Ireland had gained by the increase in her cattle, sheep, and other descriptions of animals. That was not correct. Since 1853 there was a decrease in cattle and horses. The decrease between 1861 and 1862 alone amounted to £1,500,000 in value. He reckoned the decrease of stock at £13,000,000 between 1841 and 1861: from 1841 to 1847 there had been an increase; but stock had undoubtedly decreased, and he regretted to anticipate a still further diminution. Then, with respect to green crops, which were mainly consumed by stock, there was also a decrease; and although a professor who had lately written a pamphlet, and who had endeavoured to show that there was no distress in Ireland, had declared that there was no falling-off, but rather an increase in green crops, he denied that statement; but even if there had been an increase in quantity, there could not be an increase in value, from the simple fact that there were less cattle to consume those crops, and it was obvious that the value which a farmer received from green crops was from the increase in the condition or number of the cattle which consumed them. The quantity of potatoes had decreased from 2,548,795 tons in 1847, to 1,858,633 tons in 1862, while in 1855 the quantity had been 6,139,201 tons; and it must be borne in mind that potatoes were the food of the Irish people raised by themselves, but now it is corn, in a great measure the Indian corn purchased from a foreign country. It was true that the distress did not this year reach the point of starvation—that the labourer, when he could get work, and could obtain food cheaply, was paid sufficient to enable him to live; but it was the class of smaller farmers who had suffered greatly. In 1841 it was stated one-sixth of the stock in Ireland belonged to small farmers; but that state of things was changed, and now nearly all the stock belonged to large farmers or graziers, showing that the poorer farmers were now poorer than ever, even were it admitted that the stock in the hands of the former class had increased, which, however, was not the case. He found also that there had been a diminution in the amount of deposits in the savings banks, which was a clear indication of increased pressure among the humbler classes. Then, to show a further diminution of the wealth of Ireland, he had to point out to the House that in the public stock transferred between England and Ireland, the balance was formerly in favour of Ireland, sometimes to the extent of one to near two millions; but for the last three years the balance of transfer had been entirely against that country. The professor to whom he had alluded, in his pamphlet, to show the increased prosperity of Ireland, referred to the increased amount of railway property in Ireland; but of course, railways being a recent creation, there had been an increase in property of that nature in every country; and although the employment given by their construction, as well as the facility of communication, benefited Ireland, as it did every other country where they were introduced, much of the capital employed and the profits, of course, were held by Englishmen. But even in this species of property in Ireland there was a decrease, for the chairman of the Great Western Railway Company of Ireland had recently declared that there had been a great diminution in the value of railway property, and other authorities had stated the same fact. The exports and imports would afford a test of the condition of Ireland. It was not possible to state exactly the amount of the exports and imports, between England and Ireland, because accounts were only kept of certain articles. But one fact was clear, that with respect to foreign trade they were as well off at the period of the Union as they were now—indeed, he might say better. There had been no increase in the trade, and any foreign products which Ireland received came for the most part through England. In 1790 Ireland exported to foreign parts to the value of £1,012,516; in 1800, £528,111; but in 1860 our exports to foreign countries amounted only to the value of £278,062. No doubt the imports from foreign countries had increased; but as they were to the value of £5,000,000 for food alone, that increase was another proof of the impoverishment of the country. Then as to manufactures, he found the inspectors' reports showing a continual decrease in the number of mills, and a diminution in the number of persons employed. In fact, manufactures had almost wholly ceased in some parts of Ireland. The growth of flax had certainly increased, but flax was not a crop which good agriculturists would prefer to see increasing, as its tendency was to deteriorate the soil. In 1778 Arthur Young had stated this, and stated that in Ulster, from this cause, in no part of Ireland did the soil exhibit such a state of beggary and desolation; but, at all events, Mr. Baker, Inspector of Factories, reports that in six counties in Ireland, since 1836, cotton manufactures had disappeared, and in none increased; and in all Ireland the number of cotton mills had diminished, between 1839 and 1862, from twenty-four to nine, and the number of persons employed in them from 4,612 to 2,732. In the woollen trade we had but four mills, employing 100 people, and in the same period the persons employed fell from

1,231 to 862, and in worsted we had one mill employing 100 persons. No doubt, however, those employed in flax manufacture had increased from 9,017 to 33,525 in the same period. He might add that it was no proof of the absence of distress in Ireland that the number of paupers in the workhouses had not increased, because, as long as the Irish labourer could live outside, he would not enter the poor-house; and the poor had in great numbers been disposed of in former years by famine, disease, and emigration by about 2,000,000. The Chancellor of the Exchequer, in the course of his Financial Statement, had admitted a diminution in the capital of Ireland, and a prevalence of distress in that country, and he would now call the attention of the House and of the right hon. Gentleman to another point—that the only thing which had increased in Ireland was taxation. The first thing to be ascertained was what Ireland paid. In 1861-2 the Customs were about £2,294,000, the Excise £3,269,000, stamps £589,000, income tax £918,000, and Inland Revenue £573,000; and other items brought the total amount to more than £7,000,000. But that would not be a fair statement of the account, because Ireland had a very small direct foreign trade in tea, wine, and other consumable articles; and although a portion of those articles was brought to Ireland in bond, the greater part came from England after paying the duties, and England took credit for so much of the taxation which was really borne by Ireland. The best-informed persons assured him that it would be a moderate estimate if, for that reason, he doubled the amount of Customs and Excise; and although he should take a much more moderate estimate of the addition which Ireland had a right to put to her account of taxation on those heads, yet with other additions to which he should refer, it seemed to him fair to set down the total amount of Irish taxation at nearly £11,000,000. There was another element in the calculation when they were considering whether Ireland had to bear more than a fair proportion of the taxation of the Empire, and that was her share in the Woods and Forests revenue, in a proportion of the payments by Colonies towards their own support, in a like proportion of the payments by foreign Governments, and in the returns from old stores, in all of which Ireland had as good a right to participat as England, since there was a partnership between the two countries, and those sums belonged to the Empire and not to England exclusively. Our produce from the Woods and Forests had been £64,000: sales had diminished this sum, but we were entitled to the interest of the purchase money, and to the proportion of Miscellaneous Receipts, which were about £2,500,000. These, with the other claims to which he had alluded, would entitle him to estimate the real Irish taxation at least £11,000,000. At the time of the Union two-seventeenths was settled as the proportion of payments to be made to the Imperial Treasury by Ireland. But this proportion, as well as the measure itself, was carried against the wishes of the people, by means of which no Irishman could be proud; and protests having been made against the unfairness of the amount, it was agreed by the Treaty of Union itself that at the end of twenty years there should be a new arrangement of taxation. Lord Castlereagh considered it an injustice to Ireland in calling on her for an equal taxation; in 1802 the first Sir Robert Peel "cautioned the House against addition to Irish taxation." Mr. Corry, Chancellor of the Exchequer, stated "that Ireland was not able to bear the burdens of Great Britain, nor was she called on so to do;" in 1805, Mr. James Fitzgerald said, "It was obvious Ireland could not discharge her part of the unequal contract, and England would ultimately pay all." Mr. Parnell, also a Chancellor of the Exchequer, stated that "the proportion imposed on Ireland was greater than she ought to have paid." Mr. Wellesley Poole said the expenses of the Empire, when the Union was made, were twenty-five millions; now (1813) they were seventy-two millions, and Ireland could never have been expected to pay two-seventeenths of this sum; but it is needless to add to the authorities who protested and asserted that Ireland was not called on to submit to such an excessive amount of taxation, which the country was unable to bear. In 1816, Mr. Vesey Fitzgerald proposed a consolidation of the Exchequers, but that was not an equalization of taxation. By the 7th Article of the Treaty of Union it was arranged that the English Government at the end of twenty years should make a new calculation, and see what was fairly to be contributed by Ireland to imperial taxation, and the basis on which this calculation is to be made is laid down in the 7th Article of the Treaty. But no such thing was done; they consolidated the Exchequers, and imagined that they had secured equal taxation. Seeing, however, that the taxation had been at various periods one-twelfth, one-seventh, and one-tenth of the Imperial taxation, and that up to the present moment there had been no re-adjustment, he charged the English Government with a glaring infraction of the Treaty of Union. The Irish had a right to a re-adjustment of their taxation. He therefore hoped the House would take the matter into consideration, in order to determine whether Ireland was justly or unjustly taxed. They were bound by the Act of Union to treat Ireland fairly, and that had never yet been done. The proportion of sums borrowed for prosecuting the Peninsula and other wars with Napoleon Bonaparte had been, as it appeared, made on no fixed principle, but a large debt had been assigned to Ireland. There was a Return connected with the subject, produced on the Motion of Mr. Macgregor, which he could never understand, and yet it was clearly and palpably false. Indeed, this was evident, for there was another Return relating to the same matter, and there were some hundred thousand pounds of a discrepancy between statements as to the amount of debt attributed to Ireland in each. What he wished, therefore, was to have some means by which they might arrive at a proximate rate of fair taxation, and apportionment of the debt due by each country. The debt of Great Britain at the time of the union amounted to £457,000,000, and the debt of Ireland to £13,000,000, the total being £470,000,000. He considered that the fair way to calculate the proportion of each country would be to deduct these sums from the present debt of the United Kingdom, and then to take two-seventeenths, the proportion established at the Union, if they would not re-adjust the proportion for the present time for the debt now due by Ireland. But it was but fair that a re-adjustment of debt and proportion of taxation should even now, at the third recurrence of the stipulated period, be made. England was never freed from that obligation, and the proceedings of this House showed it was not considered that the consolidation of the Exchequers in 1816 had that effect. By the Treaty of Union no additional tax was to be placed on any article subject to Excise in Ireland, which exceeded that paid in England. It appeared this had been done, and in 1823 the House determined to repair this infraction of that treaty. How did it proceed? The Treaty of Union was formally read, and in accordance with the 6th and 7th articles of this treaty the 4 *Geo.* IV. was passed, empowering the Commissioners of Her Majesty's Revenue to take measures to bring the provisions of these articles into effect. Nothing could be more solemn than this recognition by the Commons (in 1823) of the Treaty of Union, and that after the consolidation of the Exchequers, which took place in 1816. Could anything be more conclusive than that we should now proceed to the re-adjustment of the taxation of the two countries, which would show a contribution of at most £7,000,000 yearly as against £11,000,000, under which she at present struggled? If he obtained his Committee, which he was most anxious the House should grant, it might be possible to enter on the subject; and Government ought to turn their attention to it. Ireland suffered from the immense pressure of taxation, and that was one principal reason why the country was exhausted of its capital. A great portion of the taxation of Ireland was drawn out of the country, and spent in England. It was different in England; of the Imperial revenue he could not see that more than £10,500,000 was spent out of England, and therefore she continued rich. What was drawn by taxation from one man enriched another. The expenditure on dockyards, arsenals, and all public works was expended on the working classes, and the aggregate wealth of the country was not diminished; but in Ireland the drain was continual, and to add to it we had to add £4,000,000 for the annual drain caused by the income of absentees. Out of the taxation of Ireland scarcely £5,000,000 found its way back to that country. How could Ireland be otherwise than she was? He repeated that it was the duty of the Government to look narrowly into the subject. He had endeavoured to state the reasons why he thought the Committee should be granted. He had not gone into many details, which he knew would be wearisome; but he was perfectly certain, so long as the present system of taxation was pursued with regard to Ireland, her condition would not be materially improved. He regretted to see the population of Ireland falling off—many of her industrious sons were flying to other countries. He hoped that things might be placed on that basis that they would be enabled to support a population much larger than what existed in Ireland. That it was for the advantage of England to keep Ireland in her present state he did not believe. They had all the freedom and advantages of England in every other respect; but when they came to that House for some small subsidy, such as the Galway subsidy, there were Scotch and English Members who were most reluctant to grant a single shilling, and he even believed every means had been taken to induce the Government to avoid the completion of that contract. One of the most impolitic things the Government could do, was to deny justice in these matters. Ireland's connection with this country must be based on equality and justice. He had now brought the subject before the House—he apologized for having done so. He had endeavoured to be as short as possible, for he feared it might be said that a soldier was not perhaps the best fitted to deal with such a question.

COLONEL FRENCH seconded the Motion.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the causes of the present depressed condition of Ireland, and the effects of the taxation she now bears,"—(*Colonel Dunne,*)

—instead thereof.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I am quite sure it was needless for the hon. and gallant Gentleman to offer to the House any apology for the time which he occupied in bringing under our consideration the subject of his Motion. On the contrary, I would say, that considering the magnitude of the subject, he has been extremely brief in dealing with a question which involves so many details, and which ranges over so many years. The question itself is one which I confess I am very glad should be brought under the serious notice of the House of Commons. The hon. and gallant Gentleman has observed that in submitting to the House on the part of the Government the financial statement for the present year I admitted the existence of distress in Ireland. I accept unhesitatingly the statement of the hon. and gallant Gentleman, taking exception however, as I may fairly do, to the word "admit," which scarcely does justice to my object. An admission is said to be made by a man who is dealing controversially with a subject, whereas my simple object was to state the exact truth as it had come under my observation, and to lay fully before Parliament the case as it stood in connection with a state of things which I deemed to be intimately connected with the general prosperity of the country and the condition of the revenue. The facts to which I on that occasion referred were undoubtedly of a very grave order; nor am I disposed to endeavour to detract from their due weight, because I cannot concur with the hon. and gallant Gentleman in all that has fallen from him with respect to some abstract opinions which he has advanced, or the practical application of those opinions. I am very much inclined to question a proposition which I understood him to lay down, that taxation is no diminution of the wealth of a country, provided the money raised by its means is spent in the country in which it happens to be levied. I do not know that this is the time or place to discuss a point of political economy, but I may observe that I regard that proposition as a fallacy. In my opinion, taxation which is unnecessary for the real purposes of Government is an entire waste of public money and leads to bad consequences, whether it be spent in the country in which it is levied or not. The hon. and gallant Gentleman has alluded to another point—the question of what is popularly called absenteeism—which is, I grant, of very great interest to Ireland, but which it would be presumption on my part to attempt to argue with him, except in so far as it has special relation to the department over which I have the honour to preside. I can well understand how the subject may be one of painful consideration to the hon. and gallant Gentleman, and those whom he represents; but I confess I can hardly see how it can be met in detail as a matter arising out of the relations between Scotland, England, and Ireland. If it be true that Irish landlords reside less on their estates than the landlords of Scotland, or Yorkshire, or Devonshire, that may be a circumstance to be much regretted, but I do not believe there is any way in which this House can address itself to the cure of so serious an evil. I know of no way in which this House can address itself to correct that evil except by endeavouring to do every thing in its power to improve the social and economical condition of Ireland, and give its people equal rights and advantages with the rest of the kingdom in regard to the security, confidence, and freedom of their enjoyment and disposal of their property. That is the only mode in which we can act upon what I fully admit to be a great evil—namely, the general or extensive non-residence of the proprietary body, not only whose expenditure, but whose social and moral influence, we must look upon as absolutely essential to the welfare of the country. With respect to the present depressed state of Ireland, the hon. and gallant Member dwelt mainly upon the effect of taxation, and the remedy he proposed was the re-adjustment of existing financial arrangements on principles which I confess I felt considerable difficulty in following. To one of his arguments I must demur. He appeared to assert a right in the various parts of the kingdom to have public money expended on what I may call geographical principles; that the taxation raised in Ireland was to be computed, and against that taxation a counter claim was to be lodged on behalf of Ireland for the expenditure of the money so levied within her own limits. If that doctrine is good, it will be difficult to confine it to Ireland. It will travel into Scotland, it will come back into England, and we shall have the south, the north, the west, and the east making their separate claims. Wales will begin to consider how much it pays and how much is spent within its limits. This strain of argument is very much in vogue in the Ionian Islands, and there carried to very great length. The people of those seven little islands cannot, in fact, understand that taxes should be raised to meet certain purposes connected with the general well-being of the whole group; and they continually contend that each almost parochial circumscription has a right to have expended upon itself the same portion as it contributes to the general revenue. I will not say it is not wise to consider leniently and equitably cases where Irish feeling, or Scotch feeling, or any local feeling happens to be warmly and deeply engaged; but I hope I shall not be thought harsh or unjust if I cannot assent to the general proposition that the taxation of the country is to be like a local shower, drawn for awhile from the surface of the earth by evaporation, and then descending on it again with fertilizing effect at the very spot from which it first rose.

Now, Sir, the distress in Ireland I do not attempt to extenuate. I am very glad the subject has been brought forward, and hope, if necessary, it will be again and again brought under our notice. Ireland, I am afraid, has been suffering very deeply. That is to us a matter of very deep concern. The chief consolation we may have is that she has been suffering by one of those visitations of Providence, which, coming within the usual limits of the vicissitudes of the seasons, appears to bear on the very face of it the note of a temporary character, and that the weather and improved temperature of two or three years may, I trust, replace, and more than replace, all that she has lost by the extreme severity of the last few seasons. That, however, is no reason why the hon. and gallant Member should not investigate this subject, and show, if he can, that the impoverishment of Ireland is due to any injustice with which she may be treated in matters of finance. It is not, I think, a capital point in this question to inquire in what proportions the public money is spent in the three countries; but, entertaining that as a mere secondary matter, I am bound to say, that as far as what may be called our optional expenditure of the public money is concerned, Ireland appears to enjoy a share of that expenditure which it is somewhat difficult to account for if compared with the share of England, and more especially if compared with the share spent among our uncomplaining friends in Scotland. It is very difficult to try the question accurately as between Ireland and England, because in England there is a considerable expenditure made, not for English purposes alone, but for the benefit of the entire empire. But the sum, as far as I can ascertain it, which is voted for civil services for Ireland, specifically and exclusively, and without reference to any want or purpose except what is strictly confined within her own limits, is £1,551,000. The proportion between that sum and our total miscellaneous expenditure shows that Parliament has not been disposed to be niggardly in its supply for the local advantage of Ireland whenever money can be justly voted for such objects. The amount voted for England, apart from those direct expenses of Government which are essentially necessary for the three countries alike, is, compared with the £1,551,000 for Ireland, not more than £2,200,000 or £2,300,000—a difference between the two, I need hardly observe, which is altogether trivial, with reference to the proportion between the population of the two countries, because the proportion between the population of England and Wales and that of Ireland may now be placed at nearly four to one; whereas the Votes of Parliament for services specifically English appear to be only in the ratio of three to two, as compared with those specifically Irish. Exception may, however, be taken to that statement, because there is also a considerable expenditure in England, as, for example, the expenditure connected with the Houses of Parliament, the Government offices, and so forth, which actually takes place in England, although it is made for the wants of the three countries in common. Well, let us look to Scotland. Its population is more than half that of Ireland—namely, about three millions, while that of Ireland does not greatly exceed five millions, or between five millions and five and a half millions. [*Expressions of dissent.*] I am speaking of Ireland in 1863, when the population has undergone some diminution, I believe, below the point it stood at in 1861. The special votes for Ireland are, as I have said, £1,551,000. The special votes for Scotland, as far as I can make them out, are not more than about £360,000. —[Mr. HENNESSY: What are the items?] —The legal and judicial establishments for Ireland, including the constabulary, cost £957,000; the charge for education is £291,000; and the charge for public buildings or parks, £96,000. These are the three largest items, and then come the Votes for Nonconformist ministers, the Dublin hospitals, the Poor Law Commission, the Office of Works, and so forth. Coming to Scotland, I have not the means of dividing precisely the charge for education there, but I take it at about £90,000 or £100,000; then the charge for the judicial, legal, and police establisments is £171,000; and there are other miscellaneous items amounting together to some £90,000 more, making up the total of £360,000. I do not regard these as decisive or cardinal elements in this question. I only quote them to show that the hon. and gallant Member is not justified if he wishes it to be understood that Ireland is illiberally treated in respect to public expenditure for local purposes.

I am reluctant to enter now upon the subject of the Galway contract, on which the hon. and gallant Gentleman has spoken with some—and perhaps natural—warmth, and I am far from desiring to make it a matter of controversy. I will only say, on the part of Her Majesty's Government, what we are prepared at the proper time to prove—that we have exacted nothing from the Galway Packet Company which we would not have exacted in the case of an English or a Scotch company, and that concessions have been made in favour of that company which have hardly ever, if ever, been made in favour of any English or Scotch company.

I now come to the general subject of taxation. I shall endeavour, in the first instance, to canvass the computations of the hon. and gallant gentleman, and then I shall try to make as fair a comparison as circumstances will admit of the taxation of the two countries. The hon. and gallant gentleman admits, I think, that the revenue returns do not show that Ireland pays an undue share of taxation? [Colonel DUNNE: I admit nothing of the kind.] I understood the hon. and gallant gentleman to say, that although Ireland paid in round numbers £7,000,000, he did not intend to dwell upon that as a proof that she suffered injustice. What he alleged was, that she really pays a great deal more, though I think he was rather cloudy in that portion of his speech in which he contended, that although the figures only showed £7,000,000, yet Ireland pays £11,000,000. He said, with respect to the Customs revenue, that according to the Returns as they appear upon paper, Ireland contributed £2,286,000 in 1861; but that, he maintained, is utterly fallacious, because Ireland receives an enormous amount of duty-paid goods from England, whereas the £2,286,000 only represents the goods which she imports herself, or else the goods which she receives from England under bond. The hon. and gallant gentleman said that it would be a very moderate calculation if, in consideration of the duty-paid goods which Ireland receives from England, he doubled the amount set forth in the Returns; and in that way he raised the £2,286,000 to near £4,600,000 for Customs. All I can say is, that the calculation of the hon. and gallant Gentleman refutes itself. In the first place, Irish tradesmen know the value of capital much too well to send to England for great quantities of duty-paid goods. All tradesmen in all parts of the three kingdoms are taught by their own instincts to get goods in bond as near their own doors as they can; and as we have now a considerable number of bonded warehouses in Ireland, the Irish tradesman, like the English or Scotch tradesman, does not take his goods out of bond before he needs them. In the second place, I have always understood that Ireland is a poorer country than England; but if Ireland really pays £4,600,000 of Customs revenue, she must be a richer country than England. She certainly pays the same Customs duties, and if she consumes a larger quantity of goods per head than England—if she pays a greater tribute per her head to the Customs revenue than England—then the ground of the hon. and gallant Gentleman is cut away from under his feet by his own calculation. But I will now look at the Revenue Returns—I mean the actual figures as we find them in the papers—for I contend they represent the true state of the case as to the relative taxation of the two countries. In Great Britain the payment of Customs revenue amounts to 18*s.* 7*d.* per head; in Ireland it amounts to 7*s.* 10*d.* The Excise payment in England is 13*s.* 6*d.* per head, in Ireland it is 9*s.* 10*d.* In stamps, for England the payment is 7*s.* 6*d.*; for Ireland it is 1*s.* 10¼*d.* For land and assessed taxes the payment in England is 2*s.* 11*d.* per head, whereas in Ireland it is nothing. In England the payment for income tax is 9*s.* 1½*d.*, in Ireland it is 2*s.* 6¾*d.* So far, therefore, as the apparent incidence of taxation goes, you cannot draw from the actual figures any presumption or any tendency towards the proof of a presumption, that injustice is inflicted upon Ireland.

But it may be said that the returns do not prove that Ireland is more lightly taxed than England; and I admit that the figures I have quoted might be compatible with a system under which Ireland should be subjected to unequal taxation, and to the payment of higher rates of taxes, arising from the extensive poverty of her population. As a matter of fact, however, is Ireland unequally taxed, as compared with England? The hon. and gallant Gentleman has quoted an old Act of Parliament, which says that no higher duty shall be paid upon any article in Ireland than is paid in England. Is there any higher duty levied in Ireland? Is there any form of taxation among all those varieties which the ingenuity or necessities of financiers have caused them to invent, under which Ireland is subjected to a higher charge than England? The hon. and learned Member for Youghal (Mr. Butt) thinks he has discovered a spirit licence by which Ireland is subjected to a higher rate. All I can say is, that if he makes good his case, if he produces the Act, chapter and verse, and if we are in favourable circumstances, probably that matter may be adjusted. Meanwhile, let us look at that question broadly, and in doing so I think it may be asserted generally that Ireland pays no tax that England does not pay; but, on the other hand, that England and Scotland both pay a considerable number of taxes that Ireland does not pay. The labouring population of Ireland, who are the poorest class relatively to the labouring population of the other two kingdoms, have at last attained to that first condition of political equality—equality of taxation; and the remissions enjoyed by Ireland at the present moment, which are considerable, are unhappily remissions affecting the classes which possess property. The duties upon tea, sugar, tobacco, spirits, beer, and all those articles in which the labouring population have an interest, we have raised, I think for good reasons, to an absolute equality in Ireland as compared with England; and the exemptions and privileges which remain are maintained, not on behalf of that portion of the community which in Ireland is excessively poor, but on behalf of that portion which is no poorer in Ireland than anywhere else. Men who can keep horses and carriages, or who have considerable estates in Ireland, are as rich as the same class in England. They are richer, indeed, because an income of £1,000 a year is worth more in Ireland than in England, and gives a higher social position there than here. We have in England duties on hackney coaches, horses, railways, and stage carriages, amounting to £700,000 or £800,000 per annum. All these duties are levied in England and Scotland, but not one shilling of them is paid in Ireland. We have also the assessed taxes, the land tax, and the inhabited house duty, which produce about £3,250,000 to the Exchequer in this country. Not a single shilling is paid in respect of any one of these duties in Ireland.

Colonel DUNNE: We have quit and Crown rents in Ireland.

The CHANCELLOR of the EXCHEQUER: What is their amount?

Colonel DUNNE: £51,000 a year.

The CHANCELLOR of the EXCHEQUER: And to whom are they paid?

Colonel DUNNE: To the Crown.

The CHANCELLOR of the EXCHEQUER: Then they form no part of the taxation of Ireland. Whatever the Crown may receive it receives as a landlord, and I am not a farthing the richer for it. Although the classes possessing property are not less capable of paying in Ireland than in England, yet in adjusting the income tax, as far as the great mass of Irish property is concerned, very considerable mitigations have been granted to Ireland. I have nothing to say about Schedules D and E, but in England the income tax is assessed upon the rack rental of the estate, with only trifling deductions. In England the landlord pays upon the full nominal rental, no other deduction being allowed than the land tax and sewer rate — that is, he pays upon more than he receives, because no allowance is made for repairs. In Ireland the landowner pays upon less than he receives, because he is assessed to the income tax, not upon the rack rental, but upon the Poor Law valuation, which is arrived at after various deductions, which are by some persons estimated to amount to one-third. That may be an exaggeration, but, at all events, the deductions are considerable. With regard to houses, the case is still more marked, because the cost of repairs is much larger. Nor does it stop there. Schedule B, which deals with the profits derived from the occupation of land, is that which in England is most liberally constructed, because the tenant is only charged with income tax upon one half of his rent; and if he can show that his profit is less than that, his assessment is reduced. In Ireland it is still more favourable, because the tenant pays not upon one half of his rack rental, but upon one third of the Poor Law valuation. No doubt it may be said that in Ireland rents are higher in comparison with the share of the produce which the tenant enjoys than they are in England; but, at any rate, this is a proof that Parliament has made a liberal allowance to the tenant in Ireland as compared with the tenant in England. A man holding a farm in England, at a rent of £500 a year, would pay upon £250 a year. In Ireland the deductions under the Poor Law valuation would reduce the rental to £375, and he would be taxed upon only £125. Certainly, it can hardly be supposed that such a tenant in Ireland only gets one half of the share of the produce which he would receive in England. As far as I am able to judge, I do not think that it is possible to show that there has been any want of consideration, or, if I may say so, of liberality, in the legislation of the united Parliament with respect to Ireland upon matters of taxation. I have a great suspicion of all liberality exercised in the shape of creating fiscal inequalities on behalf of one country as against another; and though I do not presume to teach Irish gentlemen their duties or their interest, I am profoundly convinced that equality of taxation lies at the very root of full political equality, and that it is in vain without equality of taxation to attempt to claim the exercise of full political equality.

The hon. and gallant Gentleman has not, I think, directly contested the positions which I have been stating, but he falls back upon the state of things which immediately followed the Union. He thinks that we ought to ascertain the proportion which the debt of England bore to the debt of Ireland at a certain time; that instead of our present basis, we ought to take the relative state of the two countries at the Union as our starting point; that as far as they were separate and distinct, that separateness and distinctness ought to be maintained, and those fiscal arrangements ought to be made fixed and permanent. But I am sure he must feel that in using this argument he is not arguing against me or against any Government or Parliament of the present day; he is arguing against the state of things which has prevailed in this country ever since the Peace of 1815. It was about that time that the Exchequers of the two countries were consolidated; and though I hold both offices, and have to pay fees as Chancellor of the Exchequer in Ireland as distinct from the Chancellor of the Exchequer in England, the distinction is now merely nominal. You have by the unbroken consent of a long line of Parliaments, extending over half a century, got a system of complete unity. Therefore, if the hon. and gallant Gentleman wishes to raise the question which he has shown a disposition to open, he must move for the repeal of the Act which establishes one Exchequer system; and it is not until that is done that we can revive that former and almost antediluvian state of things which prevailed before that consolidation was carried out. He must either take that course, or he must show in what way our present laws bear upon the face of their enactments injustice to Ireland. I do not think that he will find it practicable to do either the one or the other. Certainly, as respects our laws, I think that what I have stated proves the equity, liberality, and fairness, whether or not it proves the wisdom, of the course which has generally been pursued by Parliament.

If the hon. and gallant Gentleman asks me whether, admitting the distress of Ireland, I have myself anything to offer in the way of boon, I must be very guarded in my answer. I have said that I think fiscal inequalities on behalf of any country are injuries even to that country itself. We must look to the influence of good laws, liberal legislation, and thorough and hearty equality in our endeavours to apply the principles of justice and freedom to all three countries, for the only means by which we can really confer benefit upon Ireland. Still, there is one admission which I should be disposed to make to my hon. and gallant Friend. I do not think that it is at all unfair to recognize a principle which we have already recognized to a great extent — that of exercising greater liberality in assisting enterprise in Ireland by loans of public money, where the security is unexceptionable, than in England or Scotland. No difference ought to be made between the three countries in point of security, because, if it was, this assistance would become a fountain of gross corruption. Take, for instance, Irish railways. Considerable loans have been made to such undertakings in Ireland upon very easy terms, whereas, if any one in England comes for a loan for such an enterprise, they are required to pay considerably more for it. There is no danger and no serious inconvenience in that method of proceeding; and it is fair to entertain the question in what cases such a principle as that may be applied, because the advantage of a scheme of that kind is that you assist in putting in motion the enterprise of Ireland itself, and all real and permanent benefits which she is to derive must be, not administered from without, like a dose of physic, but must be gained by the exercise of her own energies and her own powers. Whenever these can be stimulated by a somewhat more liberal extension of assistance such as I have described, I must confess that, without being prepared to say that any wholesale system of that kind ought to be adopted, I think that this would be a fair measure, and one that would be attended with considerable advantage.

The hon. and gallant Gentleman has referred but slightly to his Motion for a Select Committee to inquire into the causes of the distress, and I gathered from his speech that he does not intend to press that Motion. It is one which would be very serious at any time; and the commencement of an inquiry at the present moment, when we could make no effectual progress with it, could only have the effect of exciting hopes, as it were, simply to disappoint them. I am sure that the hon. and gallant Gentleman will not think that it is an indication of any indifference or coldness on the part of the Government that we decline to concur in such a Motion. I even venture to trust, that although he may differ from me in thinking that fiscal re-adjustments can lead to the summary removal of the evils under which Ireland has been suffering, he will believe that I am not insensible to those evils, but am most warmly and anxiously desirous that they should disappear. Although I am now speaking of the last three years as a period of continuous suffering, I am fully aware that other causes were at work. I do not overlook the augmentation of rents and the diminution of the population. In one point of view, however, this affords a signal proof that the population which has remained must be a population improving in wealth, and all the statistical and social research with which I have had the opportunity of becoming acquainted does show that until a very recent period Ireland was making great and clear progress in everything connected with agricultural and manufacturing wealth. I sincerely trust the interruption to her prosperous career may be brief, and may soon entirely disappear, and I hope that Ireland has before her a future of continuing and uninterrupted prosperity.

Mr. LONGFIELD said, he thought a debt of gratitude was due from everybody connected with Ireland to the hon. and gallant Gentleman who had brought forward the question, and whose manner must have impressed upon the House the fairness of his views, and the sincerity and entire absence of passion with which he put them forward. The questions for the House to consider were these—was there great and general distress in Ireland? what were the causes of that distress? and what ought to be the remedies? The right hon. Gentleman the Chancellor of the Exchequer admitted the first part of the case very fairly, and expressed a hope that prosperity might again dawn on the land. The existence of distress was further proved by the figures which his hon. and gallant Friend had adduced. Tested in every possible way, these figures established that there had been a decrease in the funded property of the country, a decrease in agricultural produce, a decrease in the live stock, and ultimately a decrease in the population. Turning then to the causes of the distress so plainly existing, they had to consider whether these were afflictions sent by an all-wise Providence, or the natural results of bad and unequal laws. If they could fix a time up to which the condition of Ireland was improving, and beyond which its prosperity began to decline, a clue might be obtained to the causes to which that decline was fairly attributable. Now, what were the facts as disclosed by the statistics? Until the year 1852 the prosperity of Ireland was increasing; but from that date to the present time the growth of taxation had been rapid and uniform, and the country had drooped under the additional burden. Blame could not be laid upon the law of landlord and tenant, the grand juries, or the Established Church, for all these things were in existence prior to 1852, and in spite of them the prosperity of Ireland was progressive. It had recovered from the blight and failure of the crops in 1846-8, the productive powers of the land were being stimulated, and the inhabitants were not flying from the soil with the eager haste they had since exhibited. Clearly, therefore, the reason for the change must be sought in events subsequent to 1852. In that year the population of Ireland was between 6,000,000 and 7,000,000, and its taxation scarcely amounted to £4,000,000. In 1862 the proportions were reversed; the population little exceeded 5,000,000, and the taxation had amounted to very nearly £7,000,000. Instead of paying only 10*s.* a head, each member of the population contributed upwards of £1. With the single exception of the assessed taxes, the uttermost strain of fiscal imposition was put upon the weakness of Ireland. The best writers on political economy laid it down that moderate taxation might prove a stimulant, but that in excess it was one of the greatest evils which could afflict a country. He would read a passage in that sense from a Whig writer, Mr. M'Cullagh—

> "Taxation should be slow. To render an increase of taxation productive of greater exertion, economy, and invention, it should be slowly and gradually brought about; and it should never be carried to such a height as to incapacitate individuals from meeting the sacrifices it imposes by such an increase of industry and exertion as it may be in their power to make, without requiring any very violent change in their habits."

Mr. M'Cullagh went on to say that an excessive weight of taxation, as it was deemed impossible to meet, will not stimulate, but destroy exertion—

> "Instead of producing new efforts of ingenuity and economy, it will only produce despair. Whenever taxation becomes so heavy that the produce it takes from individuals can no longer be replaced by fresh efforts, they uniformly cease to be made, the population becomes dispirited, industry is paralysed, and the country rapidly declines."

In Ireland, taxation had been exactly doubled within ten years, and the results predicted by Mr. M'Cullagh had come to pass. There could be no doubt that the repeal of the Corn Laws, although a great benefit to the British Empire, had operated most injuriously to the agriculture of Ireland, and in many places had nearly ruined it. The full effect of the change was not felt till several years after 1846; and though — speaking abstractedly — he would not be a party to the re-enactment of the Corn Laws, he could not shut his eyes to the fact that the predictions made at the time, as to the injurious effect of their repeal, had been actually fulfilled in Ireland, to the very serious detriment of Irish agriculture, the most important interest in that country. There were other interests, indirectly connected with agriculture, which had also suffered. A few years ago, there were ninety-five thriving distilleries in Ireland, which not only supplied the home consumption, but exported large quantities of spirits, previous to the last change in taxation introduced by the right hon. Gentleman. A Return lately made to an order of the House, showed, that instead of ninety-five, there were only twenty distilleries now in operation. Clearly, the stoppage of these seventy-five distilleries must have been attended with serious consequences to the commerce and general interests of the country. Such establishments were valuable, not only in the returns brought into the country for what they exported, but as affording good and accessible markets to the growers of corn. The Chancellor of the Exchequer admitted that taxation was a thing grievous and heavy to be borne, and that it should be imposed only from necessity; but his hon. and gallant Friend went further, and stated that the relative proportions of taxation ought to be adjusted according to the Articles of the Union. All that his hon. and gallant Friend had said was, that taxation had a great deal to do with the decline of prosperity in Ireland, and the remission of taxation might have much to do with a revival of prosperity. He would therefore support his hon. and gallant Friend, should he go to a division. At all events, there would be one good result from the debate. It would show the sympathy that was evinced for Ireland by the Chancellor of the Exchequer, and by hon. Members on both sides of the House.

Mr. GREGORY said, he wished to take advantage of the Motion of his hon. and gallant Friend for the purpose of calling attention to an issue less wide than that which had been raised by him—namely, to the lamentable condition of the western parts of Ireland. In the year before the last there was a failure in fuel and food, and the privations of the lower classes were extreme. Last year, so far as fuel was concerned, the state of affairs was better, and food was cheap, but the poor were unable to avail themselves of those advantages in consequence of the inadequacy of employment. It was easy to account for that. The better class of farmers had lost so heavily by the great mortality among the sheep, owing to heavy and incessant rain, and by the deficiency in the wheat crop, that they were unable to give more employment than was absolutely necessary. The landlords in the west were similarly situated; they had not received their rents, and their means of giving employment were circumscribed. When the Irish Members represented that state of things, they were told they were exaggerating, and bringing forward fictitious cases of distress. The hon. Member for Dungarvan (Mr. Maguire) was told that his facts and figures were quite fallacious, and his complaints were dismissed with uncommonly little ceremony. In fact, the Irish people might have been addressed in this way —

> " O fortunatos nimium, sua si bona nôrint,
> Agricolas ! "

But they did not know their happiness, and they went about exaggerating the evils of their condition. But the speech of the Chancellor of the Exchequer when bringing in his Budget fully substantiated all that his hon. Friend and the other Irish Members had stated. It was not a pleasant thing to be told, if not in so many words, at least by hints, that they were like beggars standing in the highway, simulating fictitious diseases and asking for alms. But the Chancellor of the Exchequer had done away with all those imputations, for he informed the House that within the last three years Ireland had lost no less than £12,000,000 worth of her agricultural produce, or, in other words, a sum equal to the whole annual valuation of the country. Suppose such a calamity had fallen upon England, what would have been the consequence? When, not long ago, a calamity fell upon Lancashire every hand in England was outstretched, and even in Ireland they contributed with a hearty good will, though their means were too scanty to add much to the contributions of this country. In Lancashire there was the richest community in the world, and the people who had to support the calamity were men who for years had been extending their operations and accumulating vast fortunes. But the landlords in Ireland were in a totally different position; they had not the means, however anxious they might be, to alleviate the distress. He had received letters day after day from gentlemen in the west of Ireland, in whom he placed the utmost reliance, and they informed him that in Connemara and along the western seaboard the privations which the people were enduring were something terrible. The relief committee of the town of Galway, which was composed of persons of all religious denominations, stated in its report of the 23rd of January last that the aspect of the town was positively frightful; that there were 850 unemployed artisans, 756 unemployed labourers, 1,100 orphans and infirm persons, representing altogether 9,130 of the population of Galway and the vicinity in absolute destitution. A subscription list was opened, and nearly £1,000 was collected. At the same time, those privations were borne with exemplary patience, and there was an almost total absence of crime in the town of Galway. This was the alternative which the Irish labourers had—that if they stayed at home, they stayed to be starved; and if they emigrated to America, they went probably there to be shot or to waste away their lives in the swamps of Tennessee and Georgia, or to be instrumental in killing brave men who had ever received their countrymen with hospitality. It might be asked, if the Irish labourers were in so distressed a condition, how could they find the means of getting to America; but he replied, that at that moment ample inducements were offered to active men, able to handle a rifle, to set out for America. It was sad that the sister of a wealthy and happy country like England should be in such a state of perpetual misery. Earl Russell, in writing to Mr. Scarlett, recently said that discontent, if general, must be well founded. At the present moment, whatever might be the cause, there was no doubt that discontent prevailed throughout the whole of Ireland. The Chancellor of the Exchequer said he could not admit what he called a geographical expenditure, and that equality of taxation was the basis of political equality. He had also talked of the difficulty of sending down a local shower of wealth upon a particular part of the community. Now, he (Mr. Gregory) did not ask for such a shower to be poured over Ireland; but what he complained of was that Ireland, like the fleece they read of in the Bible, remained dry while everything else around it was saturated with the descending dew. What was given to Ireland was, in the first place, given grudgingly; and, in the second place, it was given, as far as possible, in a manner to prove nugatory. The Chancellor of the Exchequer referred to the Galway subsidy, and seemed to imply that the Government had made a very great concession on the matter, and had behaved with remarkable liberality to Ireland. Now, it was suppposed that that contract (which the noble Lord at the head of the Government expressly stated was given because, though public expenditure for similar purposes was widely spread through England, there was no public expenditure of the same kind in Ireland) was a new contract. When it was pointed out that the contract, by an accidental admission, contained the same time table for summer or winter, the Government insisted on treating it as an old one; but when it suited the purpose of the Government, they treated it as if it were a new contract. That was part of the system of which the people of Ireland complained. There was an endeavour made in the west of Ireland to obtain a loan from Government for a most important public work, which would have caused a vast deal of employment—namely, the construction of a large harbour of refuge; but by the mode in which the Government treated the Galway contract it was found impossible to carry this intention into effect. He was sure that the right hon. Baronet the Secretary for Ireland was anxious to alleviate the distress in Ireland, and with his knowledge and experience of that country he might have considerable influence in doing away with all those petty obstacles and impediments which were raised, not by the heads of departments, but by subordinate agents. If the right hon. Gentleman would do that, he might avert a vast amount of mischief, and even loss of human life, in the west of Ireland, and prevent another great exodus, like that which took place during the year of the Irish famine. The House must bear in mind, that the people, when thus driven from their country, took with them a feeling of enmity to England, which not only rankled in their own breasts, but which they bequeathed to their children. Though the House had cried out upon the hon. Member for Birmingham (Mr. Bright) for saying that every Irishmen who went abroad carried with him a feeling of bitter animosity against England, the statement was perfectly true. The rule of Lord Eglington, however, showed that discontent was not a perpetual element in Ireland; and if the Government manifested a disposition really to ameliorate the condition of that country, the House would not again be troubled with debates such as the present.

Sir PATRICK O'BRIEN said, he thought that to go the root of Irish distress they must discuss the relations between landlord and tenant. He cherished no extreme opinions on the subject, but he thought that they would not pay due attention to the feelings of the people unless they took that matter into consideration. It was idle to talk about taxation in connection with distress. Taxation related to those who had got money in their pockets. A distressed man was not taxed at all, because he had nothing to pay with, and therefore relief from taxation would do him do no good.

Mr. COGAN said, it was truly a melancholy duty for an Irish Representative to be compelled to confirm the statements of the hon. Member with regard to the distress in Ireland. He (Mr. Cogan) came from one of the counties in Leinster, which were in better circumstances than the west of Ireland, yet even in the most favoured counties he felt that there was considerable distress—a fact which had been admitted by the Chancellor of the Exchequer in his financial statement, though he regretted to say some of the right hon. Gentleman's colleagues had denied it, and had thus damped the efforts that the benevolence of the county might have made for its alleviation. They had had three bad seasons in Ireland, which of course in a great degree accounted for the distress which prevailed in that country. He would, however, remind the House that they did not ask for a grant from the Consolidated Fund, but only for an inquiry before a Committee of the House into the causes of the distress, and the question of the taxation of Ireland. There were permanent causes in operation, and remedies were required, one of which was the settlement on a satisfactory basis of the relation between landlord and tenant —a matter of great difficulty, but still not impossible to be achieved. Another cause of the want of prosperity in Ireland was the want of religious equality in that country. If there ought to be equality of taxation, there ought to be equality in regard to religious rights. In England there was a Church, which was the Church of the vast majority of the people, endowed by the State. In Ireland there was a Church which was a Church of a very inconsiderable portion of the Irish people. Whilst such an anamolous state of things existed, he did not think we could hope that Ireland would increase in a proper ratio of prosperity. It was no doubt a cheering circumstance for that House, and particularly for Members from Ireland, to see that the right hon. Baronet was at last about to identify himself with movements in Ireland. The right hon. Baronet had been represented in the papers as having taken a part at a meeting in the City yesterday, the object of which was not to raise £50,000 for the relief of distress in Ireland, but for the purpose of sustaining a peripatetic system of proselytizing. It was cheering to see that a change had at last taken place in the conduct of the right hon. Baronet. That was the only relief to be given to the people in West Connaught, and the right hon. Baronet thought it becoming in him to identify himself with that aggressive movement against the faith of a large portion of the Irish people. He would ask whether it was becoming in a Minister to take such a part? So far as his experience and his reading of history went he thought that a Minister in the delicate position of the right hon. Gentleman, who was sent over to Ireland to preside over a Roman Catholic people—for the people of Ireland were a Roman Catholic people—the majority were Roman Catholic—should be more prudent. If the right hon. Gentleman were to seek peace, and to endeavour to soften down the religious animosities which prevailed in Ireland, and which were the root of so many evils in that country, it would be far better than proselytizing. The position of the Chief Secretary was one which required extreme prudence, and that quality the right hon. Gentleman had not exhibited while in office. He deeply regretted the the right hon. Gentleman had taken the step upon which he (Mr. Cogan) had taken the liberty of commenting. The right hon. Gentleman had denied the existence of distress in Ireland, but the House now knew that great poverty existed there, and that that placed the people in a position of great temptation. He would not attribute to the right hon. Gentleman that he believed that the people of West Connaught would be better tools to work upon while suffering from poverty; but he would say that the removal of the right hon. Gentleman from the office which he filled would be among the remedies for the removal of the distress in Ireland.

Sir ROBERT PEEL: Sir, this debate has rather extended beyond the original limits contemplated by the hon. and gallant Gentleman opposite. According to his notice, he directed attention only to the question of the taxation of Ireland, to which my right hon. Friend the Chancellor of the Exchequer has, I think, conclusively replied. After the discussion had followed its legitimate course my hon. Friend the Member for Galway (Mr. Gregory), without any notice, introduced the question of distress in the west of Ireland and made a lengthy statement as to the Galway contract; and now the hon. Gentleman who has just sat down has deemed it proper to make a very severe attack upon myself for having, as he alleged, taken part in a movement for proselytizing West Connaught, and having refused to relieve the distress in order to assist that object.

Mr. COGAN explained, that he had expressly said he would not attribute such a motive for denying relief to the right hon. Baronet.

Sir ROBERT PEEL: I am glad to hear the hon. Gentleman say so. I can hardly suppose that there is any one in this House who knows me who could imagine me capable of such conduct. I must, however, boldly avow, that when I accepted the position of Chief Secretary— which I know I fill very unworthily; at all events, in the eyes of the hon. Gentleman—I never intended to give up my own feelings in regard to religious observances. It is true that I attended the meeting yesterday; but when I entered the room, I had no intention whatever of addressing it. I went there merely because I had read a book called *Good News from Ireland,* and I was anxious to hear what could be said in support of the cause. It was only after Lord Harrowby had spoken that I took any share in the meeting. The noble Lord said, that having taken a part in all the great Liberal measures, such as the Catholic Emancipatian Act and the grant to Maynooth, he did not feel himself precluded from attending such meetings. I went there merely for the purpose of listening to the views of gentlemen deeply attached to their own religious faith, but, on the same ground as the noble Earl, I did not think myself precluded from moving a vote of thanks to the chairman. So far from making any allusion to an aggressive movement on the Roman Catholic faith, such an expression never fell from my lips, and I am bound to say that I consider myself perfectly free to attend meetings of that sort where both the Primate of England and the Primate of Ireland are present.

The question of the taxation of Ireland has been fully disposed of by the Chancellor of the Exchequer, but the hon. and gallant Gentleman dwelt very much on the decrease of population in Ireland between 1841 and 1861, which he says amounts to at least 2,000,000. I cannot say that I look upon that diminution of population altogether with feelings of regret, because it is quite certain that it was owing in a great degree to the fact that the people did not find adequate remuneration for their labour. Still, I entirely dissent from the opinion of the hon. Member for Galway (Mr. Gregory) that the Irish who emigrate to foreign countries carry with them a feeling of hatred to this country. I believe they carry with them feelings of strong regard and sympathy for England. [*A cry of* "Oh, oh!"] Well, then, those who do not, do no harm to the realm in carrying their disaffection elsewhere. I candidly admit that a great emigration has taken place, and even at the present moment a great amount is still going on. The emigration of the present time far exceeds that of last year and the year before. No doubt, great inducements are held out to strong and vigorous young Irishmen to take service in the United States. It is impossible for the Government directly to interfere, but we have taken pains to point out to these people that the fact of their being invited to assist in railway works did not preclude their being asked to enlist in the service of the United States as soon as they land in America—a service in which Irishmen are treated not in the fairest manner. The decrease in the population between 1841 and 1861 amounts, I believe, to 2,751,000; but the population at that time was not proportionate to the wealth of Ireland, or to the fund from which labour was to be paid. In 1841 you had 13,464,000 acres of arable land under cultivation; in 1851 there were 14,802,581; and in 1861, 15,320,000; showing an increase of nearly 2,000,000 acres of arable land under cultivation, as opposed to a diminution of the population of 2,751,000. My hon. Friend behind me has said that I expressed my disbelief as to the existence of distress in Ireland, or at least that I had talked of fictitious cases of distress being brought forward—that I had said it was exaggerated, and that I had no sympathy with them. Such, I can assure the House, is not the case with me. An hon. Gentleman brought forward cases of alleged deaths by starvation, and I certainly showed that in those particular cases, at all events, he was mistaken. But I never denied in this House that there had been considerable pressure, and I would frankly own that for a time there was a greater amount of distress than there has been for some years. But if Providence will only bless the produce of the land for this season, I confidently anticipate that the harvest will be so abundant and that fuel will be so plentifully housed for the winter service, that we shall not have that pressure upon our poorer classes which has undoubtedly afflicted them for the last few seasons. The hon. and gallant Gentleman has alluded to the question of savings banks, and told us that there has been a diminution in the amount invested in those banks. I have taken the opportunity of making some inquiries into this question, and I have ascertained the number of depositors during the four years 1857 to 1860. In 1857 there were 57,756 depositors; in 1858, 59,853; in 1859, 65,504; and in 1860, 69,294; thus showing that there has been a regular and permanent increase in the number of depositors during these years. As to the amount of deposits, in 1857 the amount was £1,775,000; in 1858, £2,804,000; in 1859, £2,530,000; and in

1860, £2,142,000; showing a slight diminution in later years, but not to that extent which one would have supposed; and it must be remembered, too, that in these years Post Office savings banks were not established. We are doing what we can to promote their establishment, and no doubt they will be as successful in Ireland as they have been in this country.

My right hon. Friend the Chancellor of the Exchequer said that the hon. and gallant Gentleman was rather cloudy in the matter of the statistics of taxation, and certainly if he was cloudy on that, I cannot pretend to follow him in his statistics of the decrease of the average yield of the crops. You would hardly believe what a rainy country Ireland is. I have here statistics as to the rainfall of Ireland, and I find we actually had, in 1862, 221 days, or rather more than seven months of rain in Ireland. I ask, then, how is it possible that wheat can come to perfection under such circumstances? Though there may be a decrease in the total extent of land under cereal or other green crops, there has been a great increase in the amount of flax cultivation. The total amount of land under flax cultivation in Ireland amounts to 147,957 acres. I am quite ready to admit that the district of Erris and some parts of Mayo are much exposed to the vicissitudes arising from variety of climate, and to suffer from the want of sufficient means and from defective sustenance; but I believe exertions have been made, and exertions are being made at this moment, to my certain knowledge, to relieve that distress. My hon. Friend read a Report which referred to a state of things that existed on the 30th of January in the present year; but things have greatly improved since then. Many thousands of pounds have been contributed through the generous charity of others, and have gone into the district to which that Report refers. [Mr. GREGORY: The spring work is over now.] Yes, the spring work is over, and I dare say there is some pressure, but the pressure is nothing like what it was. The annual Report of the Poor Law Commissioners shows, that whilst the annual ratable value of property all over Ireland is £12,570,000, the average poundage of the rates made in 1861 was 1*s*. 1¼*d*., and the average poundage of the rates made in 1862, 1*s*. 2*d*., being an increase of only three farthings; and in the 14th section of that Report the Commissioners state—

> "Comparing the last year with the present in other respects, and keeping in view the condition of the indigent classes only, as distinguished from the lowest of the farming-class, we have, during the present season, the advantages of much greater cheapness of food, abundance of fuel instead of great scarcity; and notwithstanding the stormy and wet weather in December and January, there has been, on the whole, a season free from any severe degree of cold; and the spring, so far as it has proceeded, has been unusually mild and fine. The favourable influence of these circumstances on the condition of the labouring poor is already observable in the progressive decline in the number in the workhouses, the maximum number appearing to have been reached on the 14th of February 1863, or three weeks sooner than in 1862, and having since decreased from 66,976 to 64,619."

Of course, I cannot be supposed to go into the question of the Galway contract at this moment; but I think that business has been disposed of in a manner that is satisfactory to the Irish people; and I have always supported them in their applications on the subject. I hope the contract may be a source of immense improvement to Ireland. I look forward to it with my best wishes that the town of Galway, in which my hon. Friend the Member for Galway County must feel so interested, may have its resources developed to the greatest extent possible. I am unwilling to trouble the House at greater length, seeing that my right hon. Friend the Member for the University of Dublin (Mr. Whiteside) is anxious to speak; but though I may be travelling somewhat out of the matter under discussion now, I will just observe that there is another question on which I had not an opportunity of addressing the House, and the further discussion of which will, I trust, be delayed till next Session, when the case can be gone into in a more satisfactory manner. The hon. and gallant Gentleman the Member for Queen's County commenced his observations by saying he thought that since the Union the prosperity of Ireland had decreased. I do not think that a reference to facts and statistics will bear him out in that view. I believe, that with the exception of the last three years, no country in Europe probably has made such immense strides in the material characteristics of civilization as Ireland has since the year 1852. Between the years 1851 and 1861 the population decreased in a most remarkable degree; but we must recollect that this decrease in population has led to a most remarkable decrease in crime. While the decrease in population has been at the rate of about 12 per cent, the decrease in crime has been actually at the rate of upwards of 400 per cent. In 1851 the population was 6,552,385; in 1861 it was 5,764,543. The number of indictable offences tried at the assizes in the former year was 24,684, whereas in 1861 it was only 5,586. In 1851 the number of murders was 118; in 1861 it was only 30. In 1851 the attempts to murder were 14; in 1861 they were only 4. In 1851 the conspiracies to murder were 10, in 1861 they were none. In 1851 the number committed for riot was 1,827; in 1861 it was 449. The number of attempts to rescue—an offence which strikingly indicates a disorganized state of society—was in 1851 1,915; in 1861 it was 224. These figures show, that while the decrease of population was about 12 per cent, the decrease of crime was upwards of 400 per cent. They also clearly show this—that crime and poverty are inseparably connected. If the present season prove favourable, if the prospects of the spring and early summer are fulfilled, I have every hope that we shall see the prosperity of Ireland reach that condition of development of which it gave so much promise in 1859. In conclusion, I have only to express a hope that the hon. and gallant Gentleman will be satisfied with the interesting debate to which his Motion has given rise, and not press us to a division.

MR. WHITESIDE: The Motion made by my hon. and gallant Friend is one that affects the interests of the kingdom. It has been met by two Ministers of the Crown — the right hon. Gentleman the Chancellor of the Exchequer, and the right hon. Baronet the Chief Secretary to the Lord Lieutenant. The right hon. Baronet has been furnished by the heads of Departments with bundles of papers, for which I give them much credit; and having perplexed himself by a study of those papers, he has endeavoured, I am sure unintentionally, to puzzle the House. He tells us that there has been extensive emigration from Ireland. We were aware of that. He says that Ireland is a rainy country. No doubt of it. He observes that wheat will not grow to perfection there. Some will say "ay" and others will say "no" to that. He remarks that the cultivation of flax has increased in Ireland. I think he makes that statement on the authority of a gentleman who wrote a pamphlet to prove that all the facts stated with respect to Ireland by the Chancellor of the Exchequer in his Budget speech were wrong. The Chancellor of the Exchequer was complimented on his statement by my right hon. Friend who has just sat down, and that, no doubt, is part of the duty of the Secretary to the Lord Lieutenant. He said that the reply of the Chancellor of the Exchequer was conclusive, and I have no doubt that in his mind that reply was conclusive. The Chancellor of the Exchequer said it was impossible for a gentleman constituted as he was to feel like an Irishman. Well, I quite agree with him, for I think it impossible that a gentleman of his philosophical and placid temperament could feel like the natives of that classical country. As I gathered it, the burden of his speech was, that we should submit patiently to the taxation imposed upon us, and should make no complaint. He said that the Parliament of England is not unjust. I agree with him, and it is because I believe that the English Parliament is not unjust, that I think the facts suggested by this Motion demand and deserve inquiry. The Chancellor of the Exchequer said, that fiscal inequality between two independent kingdoms was a bad thing. But, in my opinion, he forgot the terms of the Motion, which are, let me remind him, "to bring before the notice of the House the present depressed condition of Ireland," — and this is a question of fact—"together with the amount of taxation imposed on the country, and to move for a Select Committee to inquire into the causes of such depression and the effects of the taxation she now bears." The fallacy of the Chancellor's statement consists in assuming that my hon. and gallant Friend the mover of the Resolution wishes to establish a system of fiscal inequality between the two countries. Now, what my hon. and gallant Friend demanded, was that the principles asserted at the Union should be respected, and that seems to me a very just demand. But the distress being admitted, the inquiry is to be into the amount of taxation, and there are two modes of getting redress —one according to the suggestion of the Chancellor of the Exchequer, by establishing inequality in the taxation of the two countries, and another by a general reduction of the taxation on both kingdoms. I agree with the Chancellor of the Exchequer that there is a great difficulty, no matter what may be the pressure upon one part of the kingdom, in contending for a different system of taxation, as regards that part of the kingdom. But it is reasonable to inquire whether Ireland or Scotland is able to bear, in the present position of either kingdom, the amount of taxation imposed upon it, and then to inquire whether the taxation might not generally be reduced as regards the whole Empire. It would be an important result of this Motion if the representatives of Ireland were obliged to look into the general taxation of the country, and seek for a common remedy by a diminution of the common burden. The Chancellor of the Exchequer said, he would clear the ground of general topics, and he disposed—very fairly, I admit—of the topic of absenteeism. Now, we must allow that it is beyond the power of the Government to effect a change in that respect, though in former times laws were imposed by strong-minded Sovereigns in repression of absenteeism. King Henry VIII. locked up in the Tower any absentee who had an estate in Ireland, whom he caught wandering in England, and who did not go home and mind his business. But I quite agree with the right hon. Gentleman that at the present day it would be impossible to propose any tax on absentees. We can only regret that they do not return to their own country, the climate of which would have a good effect upon them, though it does sometimes rain in that part of the world. The Chancellor of the Exchequer said, that the people of Ireland resembled the people of the Ionian Islands, and that they were very perverse, because they wished that any little taxes which might be raised amongst them, should be spent in their own country. According to the right hon. Gentleman, speaking on this subject with peculiar means of knowledge, this was one of the delusions which prevailed in the Ionian Islands. But I venture to think that those delusions will soon be dispelled by the new Government, and that some Greek Chancellor of the Exchequer will soon arise, who will teach the inhabitants of the Ionian Isles the principles inculcated this evening—that nothing is so fertilizing, nothing so improving, as the increase of the burden of taxation. The next assertion of the right hon. Gentleman is, that we ought not to inquire into the distress in Ireland, because this distress is only temporary. Now, if he had proved that proposition, his argument would have been conclusive. But that the House may understand that we are not altogether without grounds for this Motion, let me read a few words spoken by the Chancellor of the Exchequer in bringing forward the Budget. His description then produced a great impression in Ireland, and it is no use for the Secretary to the Lord Lieutenant to bring down bundles of papers sent him by the clerks of the different offices, because here, in the Chancellor of the Exchequer's Budget speech, is really the ground for this Motion. After stating that the value of four items—the oats, wheat, potato crop, and one-third of the actual value of the live stock—in Ireland was, from 1856 to 1860, on an average, £39,437,000 per annum, the right hon. Gentleman continued:—

> "In 1860-1 it fell to £34,893,000, a decrease of £4,544,000; in 1861-2 there was a further fall to £29,077,000—a decrease of £10,360,000. In 1862-3, low as was the point previously reached, it descended yet lower, and fell to £27,327,000, from the former average of £39,437,000; thus showing a decrease of somewhat above twelve millions sterling. This amount equals nearly one-half of the total estimated value of the agricultural products of the country, as measured on the principal items or constituents of agricultural wealth. It falls not very far short of the full amount of the established annual valuation of the country, which is £13,400,000." [3 *Hansard*, clxx. 208]

Now, there is proof of the depression in Ireland; and if this depression is to go on much longer in the ratio pointed out by the right hon. Gentleman, there will be nothing left to inquire into, which will very much simplify the labour of the Ministry. Sir, we submit to the justice of the House that the startling facts here stated by the Chancellor of the Exchequer make out a case, not for the introduction of any crude principles of taxation, but for a serious inquiry into the causes which have led to such results.

As to emigration, there is something very awful in the statements which have been made upon this subject. The results shown by the census of 1861 would mislead any hon. Gentleman who relied upon them, though even these show a diminution in the population of 2,000,000. But that is all changed now, for the emigration lately has been as large as ever it was. A Roman Catholic gentleman in Clare told me recently, that if there was not a good harvest, there would be from the south and west of Ireland, not an emigration, but an exodus. Another gentleman, to whom I mentioned that statement, said, "Oh, he is wrong. If it is a bad harvest, there will, no doubt, be a considerable emigration; but if it is a good one, the people will go off with the proceeds, and the emigration will be much greater." We are just now placing a King over a kingdom where he will have about a million of subjects, and let us not forget the startling fact that within the last few years twice that number of subjects have been lost by emigration to Her Majesty the Queen of these realms. Although the emigration has been more extensive from the west and south than from the north, that is no reason why a man who looks to the general condition of the country should not direct the attention of Parliament to facts of so awful a character. Well, then, these are the circumstances upon which we base a demand for inquiry.

The Chancellor of the Exchequer said we were quite mistaken as to the expenditure, and that, looking at various items, and at the cost of the constabulary, more money is expended in Ireland than in Scotland. Now, I do not know how that may be, but I have always had the impression that the Scotch take pretty good care of themselves, and get a fair share of whatever is going. I say, however, that it is fair matter of inquiry whether justice is done, not in a particular case, but as to the general expenditure in Ireland. Then the Chancellor of the Exchequer gave us consolation, and told us, as balm in Gilead, that we had the income tax. He assured us that in Ireland we have certain allowances in respect of the income tax over and above those enjoyed in England; but I doubt that fact, and would like to have it ascertained. Altogether, I do not think that the Chancellor of the Exchequer showed much philosophy in dwelling upon these small points when dealing with so grave a subject as that which was brought before him. I remember, when Earl Russell was a Member of this House, that he alluded to a Report which was laid on the table from a gentleman who was sent as a Commissioner to inquire into the cost of administering the Poor Law in Ireland. That cost was estimated at £300,000, but the Poor Law was scarcely imposed before it mounted up to £2,000,000 a year. That has been borne; and if you look to the general charges imposed on the country, my hon. and gallant Friend will, I think, be found to be substantially right in what he has asserted. We do not want to escape our proper burden; but we say that the facts which have been stated, and which cannot be controverted, demand investigation from the wisdom of this House. The Chancellor of the Exchequer says the people must bear their share of burdens, and favoured us with several other political truisms on this question; but, I ask, what is the value of his statistics and of his political knowledge—what is the use of his political ability and of his position in the country, if the right hon. Gentleman can only sum up the taxes we pay, and tell us to be thankful? I do not think he made a single suggestion or held out a single hope. I could understand a Minister saying that an inquiry may be long or discursive, and that at this period of the Session we ought not to undertake it. He did not say that Committees of Inquiry have not been granted upon less important subjects. He did not say that it was not right to send a Commissioner into Lancashire to find out means of employment for the people there; nor do I, because I think the exemplary conduct of the operatives demands our utmost efforts to relieve their sufferings. But I want to know, as the Chancellor of the Exchequer opposes the Motion, ought we not to have expected some hope, some suggestion—not in the shape of public money given as a boon, but as a principle of policy by which the resources of the country might be opened, and its prosperity encouraged? But neither the Chancellor of the Exchequer nor the Chief Secretary seemed to have half an idea upon the subject. The right hon. Gentleman quoted Returns about the sums deposited in the savings banks in every year except the two last years, which are the important periods. He talked about the increase of the growth of flax, but he suggested nothing. As the Minister has nothing to propose in the face of this important statement, verified by his own speech, what can we do but submit the case to the House, and ask whether a diminution in the population of two millions and a half—a rapidly increasing diminution, and a statement of figures such as the Chancellor of the Exchequer has laid upon the table, do not deserve inquiry? A mere mention of taxation not pressed upon Ireland is no answer. You must regulate taxation according to the ability of the country to bear it. It is unwise to oppress the energies and exhaust the resources of a nation.

I have now only to refer to two points brought into the discussion by the hon. Members for King's County and Kildare. The hon. Member for King's County finds the true source of the difficulty in the law of landlord and tenant. I think that is a very small view to take of a very large question. He said that no Bill had been brought forward upon that subject, but scores of Bills of that kind would not lessen the existing distress. Then comes the hon. Member for Kildare (Mr. Cogan), who has his nostrum, as the hon. Member for the King's County (Sir Patrick O'Brien) has his crotchet. The hon. Member for Kildare always starts the Church question, and says, "All will be right if we get rid of the Church." ["Hear, hear!"] I hear that cheer, but it is no argument. One hon. Gentleman has his crotchet about the law of landlord and tenant, and the other starts this crotchet of the Church. Now, there are a great number of acres of land belonging to the Church. I wanted to ascertain how many tenants of the Church had been able to save money enough to buy the fee simple of the land they rented under a wise Act of Parliament giving tenants of Church lands a right of preemption. Will the House believe that nearly two-thirds of the land has been bought by the tenants upon equitable terms? Will any hon. Gentleman who declaims against the Church give his tenants the benefit of the same just principle? I am sure that the tenants upon the remaining one-third of the Church land, if they could be questioned upon the subject, would implore the hon. Gentleman not to start up with that attack upon the Church. Now, we have heard of the grievance of the tithe rent charge. Two calculations have been sent to me of the amount paid by the Roman Catholic gentry of Ireland, one shows the amount at £30,000, and the other £27,000. What does the House think of that as a grievance? If the charge were remitted, no tenant would gain the thousandth part of a farthing, and certainly upon the question of Irish distress the subject is out of place. I am sorry the hon. Gentleman thought it necessary to introduce that question. He seems to think that we should apologize for being Protestants. ["No!"] He said, "You must not call us a Church, because the nation to all intents and purposes is Roman Catholic." That is a mistake. ["No!"] Well, that is a contradiction. I have had an opportunity of ascertaining the substance of the classification Returns of inhabitants and professions, which are not yet presented, and the Protestants are in a majority of two to one. A leading manufacturer in Ulster told me that in the whole province there was not one employer of labour who was not a Protestant. But were the Roman Catholic labourers worse paid? No. The capital and skill of these men were employed to develop the resources of the whole country. I think, as the Roman Catholic gentry of Ireland have all that they can fairly ask for—they have a great majority of the bench, the whole administration of justice is in their hands, they being in a minority of one-third—it is not fair nor generous to represent to the Parliament that they are suffering under a grievance. If you were to expel from Ireland all the Protestants, as some wish, you would have a very curious country left. Hon. Gentlemen should not say that they, the Roman Catholics, are exclusively the nation. No doubt the peasantry are mainly Roman Catholics, and no one laments more than I do that there is suffering among that class. Because Ulster is more prosperous, I do not shut my eyes to the distress in the west. You cannot have a prosperous country where one portion is flourishing and another is depressed. But although we are Protestants, and you cannot change us, still we mean well for our country; we have as great a stake in it as you Catholics have. It is because we wish well to our country that we desire to have an investigation into its condition conducted by impartial English Members, and therefore I think the matter of this Motion is deserving of the consideration of this House.

Mr. MAGUIRE: I do not intend, Sir, nor is at all necessary, that I should enter into the general question so ably brought under the notice of the House by my hon. and gallant Friend. It has been already so well dealt with by him and by other hon. Members, that it would be waste of time for me to do more than incidently notice one or two points in reference to it. The Chancellor of the Exchequer endeavoured to represent that Ireland was relieved from a large amount of taxation which is imposed upon England. But the land tax of England has its full equivalent in the quit rents of Ireland; and the inhabited house-tax and the assessed taxes, if imposed on Ireland, would not produce more than about £50,000 each, or £100,000 on the whole. We are told by the same high authority that we obtain something like £1,500,000 a year from the Public Treasury. But £700,000 of that goes to the support of the Irish Police, which may be considered a force established as much for Imperial as for local purposes—in fact, a local military force, taking the place of so much of the regular standing army. Now, one of the principal grievances of which Ireland has to complain, is this—that no portion of the public money is expended in that country. Why, for instance, is there not a naval dockyard in Queenstown. During the Crimean war, a sum of £800,000, or indeed nearly £1,000,000 was spent on Government works in the private dockyards of England and Scotland, while Queenstown was totally neglected, notwithstanding a promise made at the time of the Union, and repeatedly renewed afterwards, that a dockyard should be established there. It is not so much the pressure of Imperial taxation of which the Irish people complain as of the fact that her people have no share whatever of the public expenditure. The right hon. Gentleman the Chief Secretary for Ireland appears to labour under the impression that the hon. Member for Dungarvan had become convinced that the statements repeatedly made by him as to the distress which he on several occasions represented as existing in various parts of Ireland were exaggerated and inaccurate; but the hon. Member for Dungarvan begs to assure the right hon. Gentleman that he is not impressed by any such conviction, and that, on the contrary, he has been sustained by sufficient evidence as to the truth and accuracy of every statement which he made to the House. I believe that in all cases I was justified by the existing facts, and borne out by the strongest evidence. Take, for instance, the description which I gave of distress in the Union of Skibbereen. The statements I made were contested, and the distress denied; but I was afterwards fully vindicated by the official report of Mr. Horsley, the Poor Law Inspector. The right hon. Gentleman the Member for the University of Dublin (Mr. Whiteside), in referring to the remarks of the hon. Member for Kildare (Mr. Cogan), sought to misrepresent the feelings of the Catholics of Ireland towards their Protestant brethren. I, as an Irish Catholic, assert that the Catholics of Ireland entertain no feeling of ill-will and no feeling of jealousy towards the Protestants of Ireland. No doubt, I wish that all my countrymen were of the same religion as myself; but knowing that I cannot change Protestants into Catholics, I only beg and implore of Protestants that they will leave Catholics alone. The Catholics of Ireland would be quite satisfied to live in perfect amity with the Protestants, if the Protestants—or rather a certain number of them—would not avail themselves of every miserable and wretched pretence to insult the feelings and attack the faith of the most helpless portion of the community. The right hon. Gentleman declared that he would not sacrifice or surrender a single iota of his opinion. I honour him for that declaration. The right hon. Gentleman the Chief Secretary for Ireland made the same statement, adding that it was not because he had assumed the office which he now holds that he was to surrender his religious opinions. Now, Sir, no one in Ireland wishes in any way to interfere with the opinions of the right hon. Baronet, or with the fitting expression of those opinions. He may hold any opinion he may please, without challenge or inquiry. But the right hon. Baronet ought to remember the delicate and responsible position in which he is placed, by his taking on himself a most important and critical office without having had any great experience of public duties. Having assumed that office, so full of responsibility, he was bound to be the more careful not to commit himself by any unhappy impulse. The conduct of the Irish Secretary is not one of the causes of the distress from which Ireland suffers, but it is one of those insults which is certainly an aggravation of her misery. As the Established Church has been referred to, I will only say this much in reference to it:—I do not believe it is the cause of the misery and wretchedness of Ireland. If I believed so, I should be an idiot. But I do say, its existence is a standing insult to the Catholics of Ireland, and a gross violation of the principles of civil and religious liberty. The right hon. Baronet the Irish Secretary, who attended the meeting of an aggressive body—a body aggressive to the religious faith of the Catholics of Ireland—says he went only to listen to what was to be said, and that he was impelled to go by his admiration of a work—*Good News from Ireland.* I assert that that pamphlet of the Rev. Mr. Garrett, which so charmed our Irish Secretary, is a mere trap for the religious credulity and fanaticism of England. I solemnly believe the whole thing a gigantic sham and humbug. I believe that a few men with white chokers find it to their advantage to keep up the delusion; and I deeply deplore that one of my countrymen, holding such a high position, and possessing such distinguished ability as the right hon. Gentleman the Member for the University of Dublin, should give his countenance and the prestige of his name to so miserable and contemptible an imposture. I shall read a passage from the account of the meeting of yesterday, as given in the *Morning Advertiser* of this day, that the House may judge of the harmless and innocent character of the society and the impartiality of the Chief Secretary for Ireland, who virtually and really presides over the affairs of a country which, according to the last census, contained 4,500,000 of Roman Catholics—

> "The Rev. Mr. Garrett (the author of the pamphlet so much admired by the Chief Secretary) read a statement containing an account of the progress of the Church in West Connaught, and upholding the necessity of maintaining the warfare at present waging against the Church of Rome."

The right hon. Baronet went to listen, but was induced to speak; and he took that fitting place and occasion of expressing his views upon this interesting topic. The right hon. Baronet made no reference by name to the Church of Rome. Not at all. But his allusions were not altogether a mystery. For instance, he contrasted the weapons used by the society, which he applauded, with those used by some other Church not mentioned. Weapons! Why, Sir, the weapons employed by this and similar societies are those from which every honourable mind shrinks with disgust—the weapons of force and corruption, and employed against the starving peasant to extort from him a nominal adhesion to a Church which in his inmost soul he abhors and detests. I would ask the House, and also the right hon. Baronet, what was the meaning of this allusion—

> "The weapons with which the society fought were not forged for the purpose of encroaching upon human thought, of usurping spiritual power, or of defending ecclesiastical claims inconsistent with the interests of mankind."

I ask, is not this the true cant style in which allusion is made to the Church of Rome? I do not object to any Gentleman holding that opinion of the Church of Rome; but I do not think it is manly in the Secretary for Ireland to hint his antagonism in that fashion to that Church, or to say afterwards that there was no allusion made to it. When first the right hon. Gentleman came to Ireland, he was guilty of more than one gross blunder. But the Irish people, who are a generous and forgiving people, were forgetting and forgiving those blunders; and surely it is not a wise and prudent course for the right hon. Baronet to back up, by the weight and authority of his official position, this aggression upon the feelings and faith of the Catholic people of the country. The hon. Member for Kildare is right in holding that a matter of this kind is one that affects the peace and tranquillity of Ireland, and the right hon. Baronet and his colleagues ought to have appreciated the grave indiscretion of which an Irish Secretary has been guilty, through the marked and impressive demonstration of indignation that came from the hon. Gentlemen below the gangway, who have been the consistent supporters of Her Majesty's Government. The right hon. Gentleman the Member for the University of Dublin says we cannot change the Protestants into Catholics. Let that be admitted; but neither can Catholics be changed into Protestants, and therefore the best and wisest thing which each can do, is to respect the faith and honour the fidelity of the other. I do appeal to English Gentlemen, and say—if you tax us, allow us at least to enjoy our religion free from these shameful encroachments—do not bring the power of English gold and the aid of organized fanaticism and hypocrisy for the futile purpose of endeavouring to undermine the faith which is deeply implanted in the heart of the humblest peasant who treads the soil of Ireland. I will say to my own countrymen also—let them abandon and discountenance these wretched proceedings, as the only and true means of establishing Christian peace, and knitting together the hearts of all men in amity and concord, whether they kneel at different altars, or adore their God with different forms. I may add that it is my intention to bring before the House on the 23rd inst., a Motion upon the tenant question, when I undertake to prove that the miserable condition of the agricultural classes is the main cause of the misery of the country. In conclusion I beg to thank my hon. and gallant Friend the Member for the Queen's County, for the care and trouble he has devoted to the subject which he has brought with such ability before the House.

Mr. WHALLEY said, he would also support the Motion, not for the reasons stated, but because the reasons alleged had been so clearly and distinctly answered. He thought it desirable to give the promoters of the inquiry, in the calmness and quiet of a committee-room, the opportunity of proving their statements, so that the Committee might arrive at some result that would guide the deliberations of that House. It was the height of absurdity to attribute the misery of Ireland to the existence of the Protestant Church in that country. Since he had had the honour of a seat in that House, he had never uttered a word offensive to the religious feelings of the Roman Catholics, but what he had ever contended for was that it was most anomalous and improper that this great Protestant kingdom should contribute pecuniarily and otherwise to the support and encouragement of a religion which its members believed to be opposed to the constitution of the country and dangerous to freedom. He thought that every possible effort should be made to reclaim Roman Catholics, not so much from their religion, but to their allegiance to the sovereign, because it was his conviction that the teaching of the priesthood in Ireland was wholly inconsistent with that loyalty which the Irish, as a portion of the United Kingdom, owed to her Majesty.

LORD NAAS said, he did not wish, in the slightest degree, to deny the existence of distress in Ireland. No one knew of its existence better than he did. The class of small farmers never were poorer than at the present moment. For the last three years their distress, poverty, and suffering had been very great; but he could not see how the appointment of a Committee of Inquiry at that period of the Session could have any effect in relieving that distress. The question was a very large one, the inquiry must necessarily be conducted in a very hurried manner, and could only hold out false hopes. He agreed that the whole question of relative taxation as regards England and Ireland deserved inquiry and revision; but they had acted for a great number of years on the principle that equality of taxation over all portions of the United Kingdom should be the rule. If, therefore, they proposed to reverse that rule, they must consider the very complicated question of the whole financial policy since the Union. Such an inquiry at that period of the Session would be perfectly futile. He did not see that distress was indissolubly connected with taxation. The two questions were distinct, though both deserved inquiry. He should have voted for the appointment of the Committee if it had been moved at the commencement of the Session; but if pressed to a division, he must vote against it, because, although he believed that distress was very great in Ireland, and that that country was undergoing a severe trial, he did not think that anything the Committee could recommend would have the effect of mitigating the distress, but would rather give rise to hopes which could not be realized.

MR. DAWSON said, he rose to protest against the introduction of the religious element into a discussion on Irish distress. That subject had always been the bane of everything connected with Ireland, and therefore he thought the hon. Gentleman who had introduced the religious element into that discussion had incurred a heavy responsibility. If it was necessary to discuss that question, it should be properly introduced, and he trusted that he should be able to adduce good reasons—at least, they were satisfactory to his own conscience—to show that it was for the good of Ireland that the Irish Church should be maintained with its temporalities. The name of the Chief Secretary for Ireland had, he understood, been introduced into the discussion as having attended a religious meeting, but he thought the explanation which his right hon. Friend had given on the subject was perfectly satisfactory. He had himself received an invitation to attend that very meeting, which he had declined, as he must say he lamented the existence of such societies as that with which it was connected. They did, he thought, infinite mischief to the country, and, he had no hesitation in saying, prevented and would prevent, in his opinion, the advance of Protestantism in Ireland.

COLONEL DUNNE, in reply, said, that as a Committee appointed at that late period of the Session could scarcely be expected to be productive of any very useful result, he should, upon that ground, not press his Motion to a division.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

CASE OF SERGEANT MAJOR LILLEY.

OBSERVATIONS.

VISCOUNT PALMERSTON: I have to make an appeal to my hon. Friend the Member for Brighton (Mr. Coningham). I understand that he has given notice of his intention to call attention to the circumstances connected with the transaction which was the subject of a discussion the other evening, in which Colonel Crawley was concerned. My noble Friend the Under Secretary for War, in the course of his statement the other night, said there were circumstances still under consideration connected with Colonel Crawley's conduct which might lead to subsequent measures. His Royal Highness the Commander-in-Chief has determined that there are circumstances connected with the case which will render it justifiable and require that the conduct of Colonel Crawley shall be submitted to a court martial. That being the case, and judicial proceedings being determined upon, I would submit to my hon. Friend whether it would not be better that no discussion should take place upon the subject, which, by eliciting opinions favourable or adverse to the person implicated, might in some degree tend to interfere with the course of justice in regard to the case.

Mr. CONINGHAM said, he should have great pleasure in acceding to the request of the noble Lord, but that he thought the case of Sergeant Major Lilley was merely part of a larger question which involved the court-martial held on Paymaster Smales at Mhow. It was only that very day that he had received many of the documents connected with that proceeding, and he must observe, that while the noble Lord the Under Secretary for War had the other evening expressed his regret that he could not deliver up to the House a victim, he was unwilling, having made himself acquainted with the details given in these papers, to rest satisfied with simply being presented with a scapegoat. In his opinion, it was not Colonel Crawley only who was compromised in the matter. Two general officers in India, the Commander-in-Chief in India, as well as the Commander-in-Chief of the British army and other officials at the Horse Guards, were also deeply and gravely implicated. Was it not monstrous, he would ask, that Paymaster Smales of the 6th Dragoons, for writing what was characterized as an insubordinate letter—the insubordination of which was, he must confess, to him by no means so patent as had been stated—should have been sent before a court-martial in the manner in which he had been, without any previous investigation, and the witnesses actually impounded who were in readiness to support his case? Why, the whole proceeding was perfectly disgraceful.

General PEEL said, he rose to order. The hon. Gentleman had simply given notice of his intention to bring under the consideration of the House the case of Sergeant Major Lilley, and under those circumstances it was not open to him to discuss the case of the court martial held on Paymaster Smales, with reference to which he had no given no notice, and of the proceedings of which the House had no record.

Sir PATRICK O'BRIEN said, in his opinion, his hon. Friend was not out of order in adopting the course which he had taken. The real question at issue was whether Sir Hugh Rose was to be supported by the Horse Guards or not.

Mr. SPEAKER said, he could not support the call to order which had just been made. He thought there was nothing in the language of the hon. Member for Brighton contrary to the rules of the House.

Mr. CONINGHAM said, that the interruption of the right hon. Gentleman the Member for Huntingdon was entirely in accordance with the whole conduct of the military authorities in the cause to which he was drawing attention. They were all for suppression; but so long as he had the honour of a seat in that House he would not allow so monstrous an outrage to be perpetrated without protesting against it. In the name of the officers, non-commissioned officers, and private soldiers of the British army, he demanded that justice should be done, even though the persons to whom blame attached in the transaction were general officers, and included among the number his Royal Highness the Commander-in-Chief of the army. ["Oh! oh!"] It had been said that the House of Commons was a house of colonels, and one would think from the groans of those who sat opposite that their sympathies were enlisted on the side of men who had, deliberately and in cold blood, acted in the manner to which he was about more particularly to advert. The question was one in which he thought the House was bound to interfere. He might be told it was merely a question of discipline, and that the poor paymaster, who had been tried by court martial, might be crushed with impunity; but he ventured to maintain, that when the details of the court martial were brought to light, its decision would not be confirmed by public opinion in this country. By a brief reference to those details, he hoped to satisfy the House that the justice of the case called for a rigid and searching investigation of the conduct of the distinguished officers to whom he alluded. He would summon his Royal Highness the Commander-in-Chief himself to the bar of a tribunal, where he would be judged not, perhaps, by his equals, but by those who would not stand by and see injustice done, though screened by great names. The Commander-in-Chief, with the strangest weakness, had altered his first decison, and had determined that Colonel Crawley should be brought before a court martial. He had by that act condemned himself. What was the nature of the charge based upon the letter addressed by Paymaster Smales to Colonel Crawley? He would read an extract from that letter—

"Mhow, February 26, 1862.

"Sir,—Your recent proceedings towards me will, I trust, be an apology for my troubling you with a respectful remonstrance, while at the same time I submit to you that my position has now become one of so painful a character, owing to the line of conduct you pursue towards me, that I feel bound to appeal to the higher authorities."

COLONEL NORTH:—I must rise to order. I would ask whether it is fair that the hon. Member should produce the proceedings of a court martial about which the House knows nothing? No one has learnt with more horror than I did the painful circumstances connected with these transactions. [*Cries of* "Order!"]

MR. SPEAKER: The hon. and gallant Member must confine himself to the matter of order.

COLONEL NORTH: I wish to know, Sir, whether it is competent for the hon. Member for Brighton to read the record of proceedings about which we know nothing, and of which no one can have the means of answering him?

MR. SPEAKER: I have already said that the mere fact of the hon. Member not having included this subject on his notice does not place him out of order. It is perfectly competent for him to bring a matter of this kind before the House without notice, on the Motion for going into Supply.

GENERAL PEEL: What I asked was, whether the hon. Gentleman had a right to quote from a document not in possession of the House. ["Order!"]

MR. CONINGHAM continued: He would remind the right hon. and gallant Gentleman that the Minister of the Crown was in possession—or ought to be—of all the correspondence on the subject. But to return to passages from Paymaster Smales's letter, to which he wished to refer. The writer spoke of Colonel Crawley's personal animosity towards him, and submitted to his consideration whether his respectful conduct towards his commanding officer was reciprocated by that officer's conduct towards himself. The letter went on in the same respectful tone, but he would content himself by simply reading the portions mentioned in the charge against Captain Smales. Captain Smales was arraigned for insubordination, in having written an official letter to his commanding officer containing "false and malicious statements" against him—such as, that he had almost systematically absented himself from the monthly muster of the regiment; that notwithstanding his absence on certain occasions, he had signed the adjutant's roll, as if he had been present; and that the sentiments he had expressed more than once to the officers under his command were anything but conciliatory in their tendency. When put upon his trial, Paymaster Smales brought forward a solemn protest against the legality of the proceedings taken against him, and in that protest he submitted that Her Majesty's regulations—clearly laying down that all charges preferred against an officer were to be previously examined by superior authority, to ascertain whether there was sufficient evidence to substantiate them or not—had been violated to his prejudice; for he had been accused of making false and malicious statements, without any reference being made to him as to the evidence he was prepared to adduce in support of them, and without his being allowed an opportunity of proving his accusation against Colonel Crawley, before the counter charge, based upon *ex parte* evidence and Colonel Crawley's own simple denial, was preferred against himself. The protest also alleged that Colonel Crawley sought to smother the accusation made against himself in the first instance by bringing a counter charge against his accuser; and that he could not be heard while Colonel Crawley appeared as a prosecutor and he as a prisoner. He submitted, on the quotations he had made from the protest of Paymaster Smales, and on the facts which were known to the public, and which were corroborated by the memorandum issued by the Horse Guards, that the mere trial of Colonel Crawley would not meet the justice of the case. A searching investigation should be instituted into the conduct of the distinguished officers in India who were too deeply mixed up in these transactions. It was idle to attempt to burke an inquiry which was required in the interest of the British army, for the House might depend upon it, that if non-commissioned officers were liable to be treated as Sergeant Major Lilley and his comrades had been treated, with the sanction of high military authorities, there would be great dissatisfaction throughout the ranks of the service. The delinquents, no matter how eminent their position or how high their birth, should be made to feel that they could not escape from justice. He appealed to the noble Lord at the head of the Government not to make a scapegoat of Colonel Crawley; but enforcing his authority to the utmost limit, to order an immediate investigation into the conduct of every one concerned in this discreditable and disgraceful affair.

THE MARQUESS OF HARTINGTON said, that although Mr. Speaker had decided that the hon. Member for Brighton was in order in the observations he had addressed to the House, there would, he thought, be hardly any difference of opinion as to the good taste displayed by the hon. Gentleman in his remarks upon the trial of Paymaster Smales. The notice given by the hon. Member was to call attention to the memorandum of the Commander-in-Chief on the case of Sergeant Major Lilley. Now, it was perfectly true that the case of Sergeant Major Lilley arose out of the circumstances which occurred on the trial of Paymaster Smales, and it might, therefore, be proper to have a discussion upon that trial, although he doubted whether the House of Commons was a proper place for the discussion of details connected with the discipline of the army; but he was perfectly sure that the hon. Member for Brighton, especially considering the terms of his notice, had no right to enter into statements affecting the character of officers who were not present to defend themselves. For example, His Royal Highness the Commander-in-Chief was not present, and those whose business it would be to defend him in that House had not had an opportunity of preparing themselves to repel any charge which might be made against him. He therefore entirely declined to follow the hon. Gentleman in his observations upon the trial of Paymaster Smales and the conduct of the Commander-in-Chief in India or England in sanctioning the proceedings and finding of the court martial. All he would say was that in his judgment—and he was corroborated by the opinion of the Judge Advocate General—the letter of Paymaster Smales was a document highly insubordinate in his character, and that it fully warranted his dismissal from the regiment. He was at a loss to discover the grounds of the violent attack made by the hon. Member on the Commander-in-Chief, for the fact was, that the finding of the court martial in the case of Paymaster Smales never came before His Royal Highness for his sanction at all, it being a matter which rested solely with the Commander-in-Chief in India. In his memorandum His Royal Highness made, as he was entitled to do, such observations as appeared to him proper upon the state of discipline in the regiment as disclosed in the proceedings before the court martial, but he did not interfere with the finding of the court. The House had already been informed of the grounds upon which the Commander-in-Chief and the Secretary for War thought it impossible to bring Colonel Crawley to trial for the illegal arrest of Sergeant Major Lilley, or to proceed against the general officers in any other way than by calling their attention to the illegality of their conduct. There were certain circumstances connected with the arrest of Sergeant Major Lilley, for which Colonel Crawley had not received the sanction of his commanding officers, and which materially affected his conduct. The hon. Member said he did not want either a victim or a scapegoat, and that it would not be satisfactory to him that Colonel Crawley should be brought to a court martial. It might not be satisfactory to him, but he thought that the course which the Commander-in-Chief had resolved to adopt would be satisfactory to every hon. Member of that House whose object was to see the discipline of the army maintained. It was stated, and he believed truly, that Sergeant Major Lilley was confined in a manner which was not only severe, but cruel. Colonel Crawley denied that he was responsible for that cruelty, and threw the blame upon Captain Fitz Symons. Captain Fitz Symons had made a distinctly opposite allegation, and it had therefore appeared to the authorities that discipline and justice, and even fairness to Colonel Crawley, required that he should be summoned before a court martial, which should decide who was responsible for this cruelty. He would not further follow the observations of the hon. Member for Brighton, but he fully concurred in the observations of the noble Lord, that it was most improper and undesirable that when a judicial inquiry was about to take place there should be warm and excited discussions in that House, which could not fail to affect the impartiality of the tribunal which was to try the question.

Colonel NORTH said, that he had risen to order because he thought that it was most unfair to Colonel Crawley, with whom he had no acquaintance whatever, that matters which were about to be inquired into by a court martial should be made the subject of discussion in that House, and he was surprised that the hon. Member for Brighton, who was himself an old soldier, should not have taken the same view of the case. No one had heard of these occurrences, in one of the finest regiments of the service, with greater astonishment and regret than he had; and he could only say, that if a commanding officer, who had power to make his regiment the most comfortable and pleasant of homes, made it a hell upon earth, the sooner he was dismissed the better. At present, however, they did not know that Colonel Crawley had done so. They were in perfect ignorance of the facts. The hon. Gentleman had read extracts from the proceedings of the court martial, but he believed that no other hon. Member had had an opportunity of seeing them. The Commander-in-Chief in India was one of his oldest and dearest friends, and he was convinced that in the view which he had taken of the finding of the court martial he had been guided solely by a desire to secure the interest, the discipline, and the honour of the army. The Commander-in-Chief in India was entirely independent of the Commander-in-Chief in this country, and he regretted that the hon. Gentleman should the other night have been so anxious to cast obloquy upon His Royal Highness as to attack him without hearing the noble Lord who had come down to the House to explain the Memorandum which the hon. Gentleman now called in question.

Sir PATRICK O'BRIEN said, he thought, if gross outrages were committed it was the duty of hon. Members, if requested to do so, to make in that House the statements of officers who were aggrieved. The general opinion of his military friends was that the state of this regiment was such as to render it necessary that the Horse Guards should make some change in its administration.

Viscount PALMERSTON : I cannot help expressing my great regret at the course which my hon. Friend (Mr. Coningham) has adopted. He professes to stand up for justice, but he has himself been guilty of the grossest injustice, and has launched out into abuse and condemnation of his Royal Highness the Commander-in-Chief without the slightest ground or reason. I am quite sure, at least I hope, that when he returns to the calm state of mind in which I hope that he will find himself in the morning, and reads the expressions in which, in the heat and warmth of debate, taking the part of his friend, Paymaster Smales—[Mr. Coningham : He is no friend of mine]—he has indulged, in reference to his Royal Highness, he will feel regret for what he has said. The Duke of Cambridge stands too high in the estimation of the country and of the army for the admirable attention which he has paid to the interests of the service, and the justice with which he has acted in all that concerns the conduct of the army, to have his character or reputation in the least degree affected by the censures of my hon. Friend the Member for Brighton; but I felt that I should not have performed my duty if I had not animadverted upon the course which my hon. Friend has thought fit to take. I can assure him that I regret very much that expressions have fallen from him which will do no discredit to his Royal Highness, against whom they were directed, but will not do much credit to him in the opinion of a discerning and just public.

Mr. E. P. BOUVERIE said, he thought that the course taken and the language used by the hon. Member for Brighton were enough to satisfy the House of the prudence of the advice given to him by the noble Lord. The hon. Member had really attempted to make the House of Commons a court of appeal from the decision of a court martial, selected, no doubt, with a due reference to the characters of the officers composing it, and having the evidence before it. That was a more serious matter than the hon. Gentleman seemed to think. Their empire in India depended upon the efficiency and discipline of the army, which would not long be maintained if every time there was a regimental court martial an appeal was to be made to that House to reverse its decision. The hon. Member had strongly condemned the conduct of Sir Hugh Rose, but had not condescended upon any particulars. He should like to know in what respect that most distinguished and gallant officer had failed in his duty to the public or the army. The proceedings of the court martial were submitted to him, and he himself passed an opinion upon them, as he was bound to do. A more unwise, more imprudent, more unfair, and more harsh course than that taken by the hon. Gentleman the Member for Brighton could not well be adopted. His Royal Highness the Commander-in-Chief had taken what every one must regard as a very proper course, and in justice to Colonel Crawley, who was an old servant of Her Majesty of thirty or forty years' standing, the public were bound to wait and see if he could clear himself from the imputations which behind his back had been so lavishly cast upon him.

CASE OF CAPTAIN MELVILLE WHITE.

QUESTION.

Colonel FRENCH said, the hon. Member for Brighton had not concluded his glowing statement with any Motion; and therefore as the discussion could not lead to any practical result, he believed he should be acting in accordance with the wishes of the House in bringing forward his own Question, which stood next upon the paper. Not seeing the Under Secretary of State for Foreign Affairs in his place, perhaps the noble Lord at the head of the Government would have no objection to say, Whether any answer had been received from the Peruvian Government to the communication made about six weeks ago regarding Captain Melville White; and to what friendly Power, in case the reply was not satisfactory, Captain White's claims were to be referred?

Main Question put, and *agreed to.*

Supply *considered* in Committee.

House *resumed.*

Committee report Progress; to sit again on *Monday* next.

LOCAL GOVERNMENT SUPPLEMENTAL (NO. 2) BILL.

On Motion of Mr. Bruce, Bill to confirm certain Provisional Orders under the Local Government Act (1858), *ordered* to be brought in by Mr. Bruce and Sir George Grey.

Bill *presented*, and read 1°. [Bill 165.]

House adjourned at a quarter
after One o'clock, till
Monday next.

HOUSE OF LORDS,

Monday, June 15, 1863.

MINUTES.]—Public Bills—*First Reading*—Drainage and Improvement of Lands (Ireland) * (No. 136).

Second Reading—Bleaching and Dyeing Works Act Amendment * (No. 43).

Committee—Prison Ministers (Nos. 109 & 137); Salmon Fisheries (Scotland) Act Continuance * (Nos. 112 & 138).

Report—Redemption of Rents (Ireland) [H.L.] (Nos. 134 & 139).

Third Reading—Duchy of Cornwall Management [H.L.] (No. 118), and *passed.*

ITALY—CASE OF MR. BISHOP.

QUESTION.

The Marquess of NORMANBY asked the noble Earl the Foreign Secretary, Whether he had any objection to the production of the Despatch from Sir James Hudson, of the 28th of May, which his noble Friend had quoted as confirming the assurance on the part of the Piedmontese Cabinet that they would advise their Sovereign to pardon Mr. James Bishop on the first fitting occasion? He believed there would be no objection to the production of the despatch, and, as a matter of form, he would move that it be laid on the table. There was a very general impression that a recent anniversary festival would have been marked by the liberation of such political prisoners as had claims upon the Royal clemency; but that expectation had, as far as he could learn, been disappointed, and he should rejoice to hear that the Government of Victor Emmanuel had determined, at all events, to liberate Mr. Bishop, who by the last accounts was suffering from great prostration.

Earl RUSSELL said, he was about to present, by command of Her Majesty, an extract from the despatch to which his noble Friend referred. It was true that the Italian Minister had stated it to be his intention to advise the Sovereign on the first favourable occasion to grant the release of Mr. Bishop; but the noble Marquess put his own interpretation on that phrase. What he (Earl Russell) thought the Italian Minister meant by the first favourable occasion was, when the country was generally pacified, and when there was no longer any irritation in consequence of the acts of brigandage committed in the Neapolitan provinces. What they felt was, that while the brigandage was going on, any favour shown to Mr. Bishop might be misinterpreted into a feeling of lenity towards the party with which Mr. Bishop was unfortunately identified. But he saw by the newspapers that the ex-King of Naples was about to leave Rome; and he should imagine, that if that occurrence took place, it would tend very much to the suppression of the brigands and the tranquillity of the country. With regard to the imprisonment of Mr. Bishop, he had not impugned the justice of the decisions in the Italian courts, but he had represented to the Italian Government that in this country, when imprisonment was likely to be injurious to the health of a prisoner, and to be therefore equivalent to the punishment of death, it was the usual practice to commute or remit that imprisonment; and he recommended the same course should be taken in regard to Mr. Bishop, if there were circumstances to justify it. He had, however, been informed that General Marmora had sent some persons to visit Mr. Bishop, and they had reported that Mr. Bishop's health was not likely to suffer if he were not subjected to hard labour. That report had been forwarded to Turin, and the Italian Government had acted upon it.

Earl RUSSELL then *presented*, by command "Extract of Despatch from Sir James Hudson respecting Mr. Bishop." (*Parl. Paper* [1654])

REVISION OF THE STATUTE LAW.

PERSONAL EXPLANATION.

LORD BROUGHAM said: My Lords, it has never been my lot to complain of being misreported, nor should I trouble your Lordships on the present occasion were it not for my respect for the learned Judges of the Courts of Law and Equity, to whom some mis-statements as to the views expressed by me here on Friday might be supposed to be derogatory. It has been said that I stated it as a fit and proper course that all the judgments of the Courts of Law and Equity should be revised periodically at the end of the year by Parliament, and that the erroneous judgments should be set aside. I never said any such thing, nor anything like it. I was complaining of the little attention which had been paid to an Address to the Crown, carried in the other House by a right hon. and learned Friend of mine (Mr. Napier), for the establishment of a Department of Justice, and to which an answer had been returned by the Crown to the effect that it should be taken into immediate consideration. I said that I hoped the time had come when effect would be given to that Address by the establishment of a Department of Justice, and I added that that Department would have many most important functions, but that it would not—it could not—have the function of revising any decision, however erroneous, of the Courts, since they could only be altered by the Judges themselves, by the appellate jurisdiction, or by an Act of Parliament.

BRITISH COMMERCE AND THE AMERICAN CRUISERS

MOTION FOR PAPERS.

THE MARQUESS OF CLANRICARDE rose to move, pursuant to notice, for—

> "Copies of any Reports that may have been received from the Admiral commanding Her Majesty's Squadron on the North American and West Indian Station concerning the Protection from Seizure or Visitation afforded to British Merchantmen by the *Ariadne* and other of Her Majesty's Ships or Gunboats by Convoy or otherwise; and to ask what has been the Result of the Remonstrances made to the United States Government by Her Majesty's Minister at Washington against the Seizure of certain British Vessels."

The noble Marquess said, his apology for troubling their Lordships on such a subject was the importance of preserving as clear a definition of the rights of neutrals and belligerents as the nature of the subject would admit of; and our pre-eminent position as a maritime power made it imperative upon us to see that international law on the seas was not violated. The present state of things in the waters of the Bahamas and the West Indies was most extraordinary. An efficient blockade was assumed to exist of a large extent of the American coast, and a considerable amount of British commerce was engaged in violating that blockade. Whether the trade with a nominally blockaded country was legitimate or not might be doubtful, but besides this trade there had sprung up a large and perfectly legitimate trade with Mexico and our Colonies, which was intercepted by the Federal cruisers. We had submitted long to this; but the thing had now got to such a height, that although the Government refused to admit the accuracy of the statements he had made, our own officers on the station had thought it incumbent on them to interfere for the protection of the interests of our commerce, and for the vindication of the British flag, in a manner which, he ventured to say, was as contrary to international law, as laid down in the text writers, as the outrages which had been inflicted on our commerce by some of the Federal cruisers. On the last occasion when he brought forward the subject, he was told that he had no right to assume that the American Prize Courts would not administer international law fairly and impartially. He did not mean to say that those cases would not be properly tried in the United States. His complaint was, that the seizure of those ships was wrong *ab initio*, and he contended that we had a right to demand their restoration and an apology for the seizure. It had been said that we had no right to question the decision of foreign Courts in matters relating to the person and property of British subjects. He denied that doctrine. He held that a country was entitled to question the decisions of a foreign tribunal in respect of its ships and the persons of its subjects. In the latest edition of Mr. Wheaton's work, page 678, was this passage—

> "Grotius states that a judicial sentence plainly against right (*in re minimè dubiâ*), to the prejudice of a foreigner, entitles his nation to obtain reparation by reprisals. . . . So also Bynkershoek, in treating the same subject, puts an unjust judgment upon the same footing with naked violence in authorizing reprisals on the part of the State whose subjects have been thus injured by the tribunals of another State."

What were the facts with respect to the *Adela*, which ship had been tried and condemned in a Prize Court? When, on a former occasion, he mentioned what the decision in respect of this ship was, two noble and learned Lords, both eminent authorities on the subject (Lords Cranworth and Kingsdown), at once asked, was the judgment to which he referred that of "the Supreme Court"?—thereby implying the decision was so absurd that no court of high standing could come to it. But he (the Marquess of Clanricarde) contended that no matter what the decision of the Prize Court might have been, we ought to demand the restoration of the ship. The circumstances under which the ship had been seized were stated in papers laid before Congress, copies of which, it was to be presumed, our Minister at Washington had forwarded to the noble Earl at the head of the Foreign Office. In these papers the first report of the captain who hap seized the *Adela* was stated to be that he saw the vessel attempting to cross the Channel on her way to Nassau. He was required to make a further report as to what the grounds of seizure were; and he then stated he had received official information from a flag officer that a vessel of her description had sailed from Europe, having on board articles contraband of war; and he did not examine her hold, but having a suspicion of her character, deemed it his duty to send her into port. Here, then, was a case of a vessel trading between Liverpool and Nassau, and seized because a United States captain had been informed that a vessel of her description was carrying articles contraband of war. The seizure of the *Adela*, under such circumstances, was an insult to our flag; and we had a right to demand redress for the act. The vessel was condemned, not for any violation of neutral right, but because the provincial Judge of the Prize Court at Key West knew that his judgment was subject to appeal. The case was not one in which we should wait for the result of an appeal to the Supreme Court, for he should be greatly astonished if any noble and learned Lord stood up and said there was even a *primâ facie* case to justify the seizure. Several other British ships had been seized under somewhat similar circumstances. The question was not that of a vessel running the blockade. If a ship was seized while doing this, she was subject to confiscation, no matter how harmless the character of her cargo. The case before their Lordships was that of a vessel seized while engaged in a legal trade; and it was the duty of the British Government to prevent the legitimate trade of the country from being so harassed, vexed, and interrupted. In the case of the *Peterhoff*, she was seized in the same illegal manner, and no proof being found against her, the cargo was discharged, with a view of having a search made for evidence before she was tried. The whole was in keeping with the conduct of the Federal Government with regard to our ships. It was time, therefore, for the Government to demand redress. What was being done by the United States could not be regarded in the light of an attempt to carry out a fair exercise of belligerent rights. The attempt was one to put down our legitimate trade to Nassau and Matamoras, because these places were depôts from which the Confederate States received supplies,—Matamoras being in Mexico, and the State of Texas being separated from Mexico by only a narrow channel. Our trade was thus vexed and harassed; but at the same time New York ships carried on a thriving trade both with Nassau and Matamoras. Passes were granted at New York to these ships.

Whether this pass system was legal or not he did not know; but, as it was in force, there was the stronger ground for our insisting on a stop being put to this interference with our merchants and their commerce. He had suggested the other day that the Government should send re-inforcements to the squadron under Admiral Milne on that station, for the purpose of protecting our commerce; and he was answered by the Secretary of State for Foreign Affairs that this would be war. He was not frightened by hard names, nor did he believe that such assistance would lead to war. But if it did, what object could justify war more completely than the defence of our trade and of those maritime rights which it was at once our duty and our safety to maintain? He contended, that if this protection meant war, we should have had war before now, because while the noble Earl (Earl Russell) was repudiating his doctrine in that House, the English Admiral and captains seemed to be pursuing to a great degree the course which he had recommended. He held in his hand some shipping reports from *The Times*, as to which it might be said that they were not to be relied on. But in answer to this he could only say, that if the noble Earl had better information, he ought to give it to the world, for this information influenced the rate of insurance and the whole course of our shipping trade. The first statement was contained in a letter from the Havannah—

> "The captain of the *Dream* arrived, reporting that his vessel was blockaded at Barracoon, about fifteen miles from Havannah. A British gunboat was sent to his assistance, upon the appearance of which the Federal ship made a speedy retreat, leaving the *Dream* to prosecute her voyage."

It was pretty evident from this that the Federal commander had orders to harass our commerce as much as he could without coming into collision with our vessels. Another of these reports was as follows:—

> "Admiral Wilkes, it appears, had given characteristic orders that a British steamer named the *Ruby* was to be seized, wherever found, and whether engaged in running the blockade or not. This information having reached the British Admiral, the *Ariadne* was forthwith despatched in search of the *Ruby*. She found that vessel coming out of Matanzas, on the coast of Cuba, and convoyed her into Havannah, whence the *Ariadne* sailed for Key West, and, having returned with the masters of two captured British vessels on board, they found Admiral Wilkes's ship lying within three cables' length of the *Ruby*. Of course, the *Ariadne* did not limit her services to convoying that vessel from Matanzas to Havannah. We shall probably hear by the next mail that she saw her clear of the attentions of Admiral Wilkes and his cruisers before she left her finally, and that the *Ruby* has escaped the fate with which she has been threatened."

Now, he had not the least doubt that the captain of the *Ariadne* and the British Admiral did their duty; but what they did was entirely illegal, and in protecting the *Ruby* from visitation, that ship became *ipso facto* liable to confiscation. Lord Stowell, in the well known case of the *Maria*, in a judgment which was recognised as sound and indisputable law all over the world, laid it down that by the law of nations, as now understood, resistance of search on the part of a neutral vessel was followed by the legal consequence of confiscation; and, on the same ground, the convoy of this British vessel was a gross breach of maritime law and belligerent rights. Altogether, the state of things on the coast of America was one which ought not to continue. On a former occasion the noble Earl had quoted from the Convention of Russia in 1801; and he would now invite the attention of their Lordships to another portion of that Convention, which declared that vessels of a neutral Power shall not be taken except upon just cause, that they should be judged without delay, and that the procedure should always be uniform, prompt, and legal. The exact words were—

> "Que les vaisseaux de la Puissance neutre ne peuvent être arrêtés que sur de justes causes, ou faits évidents; qu'ils soient jugés sans retard, et que la procédure soit toujours uniforme, prompte, et légale."

The Plenipotentiaries at Paris had gone out of their way to make a declaration on this subject with a view to establish what they said was most necessary—a uniform and legal principle; and they declared that "blockades in order to be binding must be really effective, that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy." Yet now, on the very first occasion which had arisen since the Conference at Paris, the Government justified a state of things which was entirely at variance with every principle laid down by writers upon maritime rights and international law. The inefficiency of the blockade was the main cause of the complaint. It was no reproach to the Federal Government that the blockade, which was much more efficient at the beginning of the war, had ceased to be so now. The question was, whether this was a blockade which ought any longer to be recognised; and he thought it perfectly clear that it was not. He had in his possession shipping reports that he would not read in detail. One was from Bermuda, giving a list of ships which arrived there and which had run the blockade. Another was from Nassau, dated the 2nd of May, and it stated that since the 11th of March twenty-eight steamers had left that port for the blockaded ports, and of these only seven had been taken. One was supposed to have been lost, and some had gone aground, but seventeen were known to have arrived and landed their cargoes; and this from one single port. Another long list gave the names of vessels that had arrived at different ports from the Confederate coast, and very few had been taken. It was a farce to call this a blockade. It has been laid down that a blockade, to be binding, must be really effective—that it must be maintained by a force sufficient really to prevent access to the enemy's coasts. He could refer their Lordships to the opinions of the American Government upon that point, as laid down by Mr. Monroe in 1816. At that period, the Spanish South American Colonies being in revolt, the Spanish Government issued a proclamation setting forth that a certain line of coast embraced within defined limits was in a state of blockade. Mr. Monroe, in reply, declared that the proclamation was eminently repugnant to the law of nations, for several reasons, and particularly because it declared a line of coast several hundreds of miles in length to be in a state of blockade. He would remind their Lordships that the United States Government were now professing to maintain a blockade upon a coast 2,500 miles in length. Mr. Monroe further objected that the proclamation ordered the seizure of neutral vessels at an unjustifiable distance from the coast, and he remarked that no maxim of the law of nations was better established than that a blockade must be confined to particular ports, and that an adequate stationary force must be maintained at each port to support it. A few months later the Spanish Minister gave the same answer as the United States Government had given to our remonstrances—that the matter should be referred to Courts of Admiralty for information. A few months later, in October 1816, Mr. Irving, the United States Minister at Madrid, denied that information from Courts of Admiralty was necessary, and demanded without delay satisfaction for vessels seized under the proclamation. Two days later the Spanish Government gave way, and the proclamation was withdrawn. He was not aware that the doctrine thus laid down had ever been repudiated by the United States Government, but certainly it was opposed to common sense to suppose that they could maintain a blockade for two years along a coast 2,500 miles in length, impeding our commerce, impoverishing our manufacturers, and stopping the legitimate trade of our ships, thus forcing them into a less legitimate trade, but still not one deserving the stigma which the noble Earl had cast upon it. How was the efficiency of the blockade to be tested except by merchant vessels? He had a letter from a Manchester merchant, whose name he would not mention publicly, but which he would communicate to any noble Lord who might be desirous of knowing it, in which the writer said, that being desirous of seeking for cotton where it could really be obtained, he, in conjunction with one or two others, at the end of last year sent out four steamers to the West Indies. Of the doings of these vessels he gave the following account:—

> "The first of these, a large screw steamer, left Nassau on the 15th of January, and ran the blockade at Charleston three times before the 14th of March, on which day she was sold to other parties. The second was a double-screw steamer. She left Nassau on the 25th of January, and on the 12th of May she had made six successful runs, and on the 18th of May she left for another. The third was a paddle steamer, which left on the 10th of February for her first run, and by the 24th of March she had made six successful runs through the Charleston blockade, averaging about one a week. The fourth was also a paddle steamer, which, after two successful runs through the Wilmingdon blockade, was caught soon after leaving on her third trip. Thus, in less than four months, seventeen successful runs have been made by these four steamers, and in addition to these I have got a screw steamer through the Charleston blockade with a cargo on board of 1,750 bales of cotton and 500 barrels of resin. These facts speak for themselves, and you may make what use of them you may think fit. P.S. — These steamers have run in English goods to the value of about £120,000 sterling, and have run out cotton, &c., to the value of about £200,000. They carried no contraband of war. Profits we shall not speak about."

And yet the blockade was kept up notwithstanding such facts, and although every man of common sense in the United States was now convinced that it was impossible to compel the Southern States to re-enter the Union. When was it to come to an end? If Vicksburg were taken, peace would be no nearer. It was the duty of the British Government not to allow these infractions of maritime law to continue, which were, in fact, setting aside all law and practice as hitherto maintained. He would like to know what had been the effect of any remonstrances that had been made, and whether any ships had been delivered up, and he moved for Copies of any Reports that had been made by our Officers on the North American and West Indian stations.

EARL RUSSELL: My Lords, my noble Friend has given us a lecture upon international law, somewhat desultory in its nature, and containing decisions which rest, I believe, upon no dicta of Lord Stowell or the American courts, nor upon any opinion of any writer upon international law, but are entirely conclusions formed in his own mind of what international law ought to be. Among these conclusions, contradictory as some of them are, I found that my noble Friend says, that the captain of an American man-of-war having explained to his own Government the reasons and grounds for his taking possession of a British merchant ship, if these grounds were not satisfactory, the ship ought to be immediately released. I will not venture to pronounce that opinion, nor will I pronounce an opinion to the contrary; but this I must say, that although the captain at the time did not make that search which he ought to have made, yet when the ship is brought into a port, the search of that vessel may show ground for its capture, and a Prize Court may decide if that vessel was clearly going to an enemy's port, and was carrying contraband of war, and she may be condemned on that proof. My noble Friend says it cannot be condemned, but ought to be released; and I cannot presume to give an authoritative opinion on that question. Then my noble Friend maintains that a merchant ship cannot be seized by a belligerent unless actually breaking the blockade—that is, I suppose, actually attempting to enter the port that is blockaded. Now, I have understood from the various decisions I have read, that if a vessel is found on the high seas, and her cargo and papers prove that she is intended to break the blockade, or carry contraband of war to an enemy, that would be ground of capture on the seas, and that it is not necessary that the vessel should be taken actually attempting to break the blockade. That is another part of international law into which my noble Friend may wish to introduce reform, but I do not think his views are quite consistent with international law as it at present stands. My noble Friend says now, as on a former occasion, it is quite clear that the object of the American Government has been to vex and interrupt our commerce; that they could have no other object but to embarrass our legitimate trade, and prevent British merchants from carrying on a perfectly legitimate trade. But in another part of his speech my noble Friend says—and I do not dispute his authority in this—that he has evidence that many vessels have successfully broken the blockade of the Confederate ports, that they have entered with valuable cargoes of merchandise, and supplied the Confederates with articles of which they were in want. If that be the case, is it not possible that the American Government and the American navy, without any wish to destroy our trade, may be suspicious of such aid being given to the Confederates, and that they may search very narrowly and very strictly the vessels they find, some of them no doubt intending to go to neutral ports, but, as they think, not intended for those ports, but for the ports of the Confederates? The two things do not go well together—one, that our commerce is of so perfectly innocent a nature that there can be no pretext for searching our ships, except a wish to vex and embarrass our commerce; and the other, that we are carrying on a most successful trade by running the blockade and introducing goods into the Confederate ports. For my part I am not disposed to attribute to the American Government that malignity against this country and that hostile intention which my noble Friend attributes to them; but I did think it necessary to inform Lord Lyons that there was an impression in this country that several British ships that had been seized did appear to be intended for neutral ports, and that they had been seized in a reckless manner, without sufficient ground. In regard to the particular vessels, the American Government answered that there are sufficient grounds, and that they will be proved before the Prize Courts. Therefore, with regard to the special vessels, I cannot give any information to Parliament, because the questions are still pending before the Prize Courts in America. But with regard to the general statement made and to the general allegations which Mr. Secretary Seward makes in return, I shall have no objection to give to my noble Friend the correspondence which has taken place on that subject. With regard to the other question, the decisions of the Prize Courts, I must say I lament that the Constitution of the United States is such, that instead of being brought at once before the Court of Admiralty, where, generally, you have a very eminent Judge to preside, perfectly well acquainted with the law of nations, such cases go in the first instance before the district courts, then, I think, before a circuit court, and it is only after a considerable delay that they come before the Supreme Court of the United States. I say this because I believe we should all very much respect a decision of the Supreme Court of the United States, and it is to be lamented that there should be a considerable delay before the judgment of that tribunal can be obtained. I believe that the Judge now at the head of the Supreme Court, though a man above eighty years of age, retains the whole vigour of his faculties; that his memory is furnished with a knowledge of all the cases applicable to the questions that come before him; and his decisions would be received with respect, not only in America, but in this country. Well, my noble Friend went on to discuss the law of blockade, and he laid down propositions which would certainly not be admitted by our Prize Courts. He lays it down, on the authority of Mr. Monroe, that the coast cannot be blockaded, and that you must blockade the particular port and not the coast. We at one time declared a blockade, I think, of the whole coast of France, from Brest to Dunkirk; and when we were at war with America, we proclaimed a blockade of not less than 2,000 miles of coast; and if we ourselves held legitimate a blockade of 2,000 miles of coast, we should still, I apprehend, if we were at war with the United States, hold that such a blockade was a legitimate one. I do not see how we can now say, although we consider the blockade of 2,000 miles of coast to be perfectly legitimate, a blockade of 2,500 or 3,000 miles is such a monster of illegality that we should find it impossible to recognise it. No doubt, Mr. Monroe's statement has been correctly given, and, I dare say, Mr. Washington Irving, at Madrid, may have induced the Spanish Government to yield; but if they did yield, it was on account of their weakness, and not on account of the justice of the American demand. But the very declaration to which my noble Friend refers—namely, the Declaration of Paris—refers not only to the blockade of ports but to the blockade of coasts. [The MARQUESS of CLANRICARDE: Hear, hear!] My noble Friend does not deny that that is the case. Then what becomes of the Monroe doctrine of blockades? Because that doctrine is, that you cannot blockade a coast, but it must be a blockade of a particular port. With regard to this question, having soon after the beginning of the blockade collected together all the reports which came to me from the Admiralty, from captains and commanders of Her Majesty's navy, who had run along the coast and reckoned the number of the ships at each particular port, I asked the Law Officers of the Crown whether the blockade of the southern coast of America was such a blockade as they considered effective according to the Declaration of Paris; and having received their opinion that it was effective, I felt bound not to set up an opinion of my own, not to invent any new theory of blockade, but to be guided by the legitimate authorities, and take that declaration of the Law Officers of the Crown as that by which I should be guided. My noble Friend gave certain instances, as to which my noble Friend the noble Duke, at the head of the Admiralty will be able to give a more correct answer than I can pretend to do; but my noble Friend ended by saying that, in his opinion, this was not an effective blockade, and that we ought immediately to declare it to be a blockade that we could not recognise. I will not say that such a declaration and the acts following it would involve us in war; but it would undoubtedly involve consequences which your Lordships could not contemplate without sorrow and affliction. Yet, I will not use any argument against it. My Lords, persons who come from the same part of the United Kingdom as my noble Friend does, seem to think that the whole of the honour of a nation consists in resisting what they may deem not legal or legitimate, and that you must at once resent it. Now, I do not think that the whole honour of a nation does so consist. It was said by a great historical authority, by Mr. Hume in his account of the reign of James II., in regard to the condemnation of Lord Strafford and the restoration of his honours to his successors, that "the reparation of injustice is the second honour of a nation; but that the performance of justice is the first honour of a nation." My noble Friend says the Americans are endeavouring to destroy your maritime rights, and you ought to resent and obtain reparation; but I say you ought narrowly to examine the case; you ought to wait for anything that may be said on the other side, and I should not be satisfied with any decision that was not based in justice.

THE MARQUESS OF CLANRICARDE said, he had not stated that a blockade might not be effective because it was extensive—he had only sought to show what high authorities in the United States had laid down as a general principle when they were in the position of neutrals, and such a blockade was enforced. The noble Earl had quoted a very fine sentiment, which their Lordships must all approve, about "the honour of repairing injustice," and he thought the noble Earl was about to conclude that the United States were about to indulge in that luxury; but it had not been shown that there was the shadow of legality in the capture of the ships to which he had referred, or that the United States Government were about to offer any reparation for the injury they had done.

THE DUKE OF SOMERSET: My Lords, the noble Marquess has moved for certain Reports which have been received by the Admiralty from the officers of Her Majesty's squadron on the American station. I wish, therefore, to state the grounds on which I think it would be very inconvenient to lay those Reports upon the table. No doubt, during these protracted hostilities there have been several irregularities committed by the ships of this country as well as by those of the American navy; but for these irregularities apology and reparation were at once made, and a good understanding maintained between the two Governments. Now, I do not think it would be for the advantage of either country, or tend to strengthen the friendly relations between them, to give these Reports of incidents which are now bygone, and with respect to which a thoroughly good understanding was arrived at. As to the conduct of Admiral Wilkes and the other American officers on that station, I wish in justice to them to read a short extract from the last letter we have received from Admiral Milne. In that letter he states, that—

> "The officers under my command who have met Admiral Wilkes have invariably expressed their sense of the courtesy and attention which he has shown to them. Indeed, I may say that in the intercourse which has taken place between the captains of the American navy and our officers no ill feeling has been evinced on either side, but, on the contrary, a feeling of mutual civility, frankness, and cordiality."

My Lords, it is, I think, highly creditable to the officers of both navies, that whenever they have met, they have endeavoured during a time when, no doubt, there has been cause for suspicion and irritation, to act with frankness and cordiality towards each other, and to maintain those relations between the two countries which tend to the preservation of peace.

Resolved in the *Negative.*

PRISON MINISTERS BILL—(No. 109.)

COMMITTEE.

House in Committee (according to Order).

Clause 1 (Short Title of Act) *agreed to.*

Clause 2 (Application of Act).

LORD BERNERS moved the insertion of a proviso restricting the power of the Secretary of State in certain cases with regard to Roman Catholic prisoners.

Amendment *negatived.*

Clause *agreed to.*

Clause 3 (Additional Ministers in Prisons, and Regulations as to Admission of Minister).

LORD LYVEDEN moved an Amendment making the appointment of additional Ministers in prisons obligatory instead of permissive. The noble Lord said he was induced to take that course in consequence of the opinion expressed by so many of their Lordships on the second reading—that the Bill ought to be made compulsory instead of permissive. In that opinion he entirely concurred, believing that unless the measure was made compulsory, it would be almost inoperative. They had been assured that it would be wholly inoperative in Scotland. He entirely objected to the appointment of additional ministers being left to the discretion of the Courts of Quarter Sessions. Courts of Quarter Sessions might be very competent to deal with questions of expenditure, but this was a matter which involved elements calculated to introduce discord into the meetings of those bodies; and if the appointment were left permissive, they would have raised at every Quarter Sessions a little Maynooth Question, upon which there would, of necessity, be much difference of opinion and probably strong feelings. As the clause stood, it left the appointment of a chaplain to the discretion of the magistrates, provided the number of Roman Catholic prisoners was sufficient to warrant such a step. The words were very vague, and did not specify any particular number. He thought the number should be fixed, and he would suggest that a minister should be appointed where the prisoners belonging to any one persuasion other than the Church of England, exceeded twenty. He did not propose to insert absolute words saying that a salary should be given, because that might appear to be an interference with the privileges of the other House, and might cause the loss of the Bill. If the alterations which he should propose infringed the privileges of the other House, he would move the omission of this clause, and on the Report move the insertion of a clause simply declaring that ministers should be appointed. At present he moved to omit the words, "if the number of such prisoners should be so great as, in the opinion of the justices," &c., for the purpose of inserting the words, "if the number of such prisoners should exceed twenty."

THE DUKE OF SOMERSET thought it very objectionable to make it compulsory to appoint a chaplain when the prisoners amounted to a given number, because this Bill in its present shape would allow the visits of the Roman Catholic minister residing in the neighbourhood when the number of Roman Catholic prisoners was small, and the Amendment would take away the discretion of the justices when, even though the number was twenty, it might be very desirable to allow those visits to be continued. It would be going much further than the case warranted, and would defeat the object of the Bill by entirely altering its character. In Ireland the law was, that the grand jury were to appoint chaplains whenever required by the court; and the appointment did not depend upon the number of prisoners.

THE EARL OF DONOUGHMORE did not think that the argument for making the Bill compulsory had been answered. In Ireland, practically, the appointment of additional ministers was left to the direction of the court.

LORD CLONCURRY said that this power of appointing Roman Catholic chaplains to gaols had not worked well in Ireland. He believed that the Roman Catholic clergy might have long since rooted out the crime which disgraced that country if they had so chosen, but they had not done so; on the contrary, malefactors fully believed that they could be absolved from the most fearful crime by their chaplain. In the case in which Sir Francis Hopkins was fired at with intent to murder, the intended victim did not die, but was able subsequently to identify his assailant. When, after the malefactor's execution, the body was given to his friends, the Roman Catholic bishop and clergy headed a procession of not less than 50,000 people, the majority of whom believed that by this act the salvation of the criminal had been secured.

LORD CAMOYS opposed the Amendment. He was sure, that if the Bill became law, the magistrates of his county (Oxford) would honestly and faithfully do their best, if there were any necessity, to carry it into execution; and he believed the same might be said of the magistrates of other counties. He had heard it said that in Scotland the Bill would be wholly inoperative, because the magistrates would refuse to appoint Roman Catholic chaplains. He did not believe it—on the contrary, he believed they would act like their English brethren, and would conform to the provisions of the law. He thought it would be unwise to affix any number of prisoners, for the number would be constantly fluctuating. To-day there might be twenty-one, and to-morrow only nineteen. He wished to thank the Government for having brought in the Bill, and to thank also the noble Earl opposite (the Earl of Derby) for the independent manner in which he had supported it on the second reading, though his sense of the noble Earl's conduct would have been deeper had it not been for an expression used by him. The noble Earl spoke of the Roman Catholics as paying to other beings that worship which was due to God alone. That was an imputation of idolatry, and, as a member of the Roman Catholic Church, he could not pass it by unnoticed.

THE EARL OF DERBY said, he was afraid he had been rather unfortunate in the expressions he used the other evening, in stating the grounds on which he was thoroughly convinced of the superior claims of the Protestant religion over that of the Roman Catholic. He stated that he believed the Roman Catholics to entertain some very erroneous doctrines, and that they acted on principles entirely repugnant to the Scriptures. At the same time, he stated his opinion that both the Protestant and Roman Catholic religion, notwithstanding the differences between them, rested upon the same foundation, and that he could not but believe the teaching of the Roman Catholic priest, although it might be considered erroneous in some respects, would yet have a beneficial tendency towards persons of that religion. The next morning after the debate he received a newspaper, which said he had been guilty of the grossest misconduct in presuming to say that the Roman Catholic religion rested on the same foundation as the Protestant, because the one rested on the Bible and the worship of God, and the other was the worship of a piece of bread. He begged their Lordships' pardon for quoting such offensive language. On the other hand, he received a letter from a Roman Catholic—a letter remonstrating with him for having stated that both religions rested on the same foundation; because the writer said the Roman Catholic religion rested on the Scripture and the Church, while the teaching of the Protestants was a work, not of God, but of the Devil; and that upon that teaching alone did the Protestant religion exist. These were the views on each side of his statement, which he thought was a reasonable statement, but in respect of which he had been charged on the one side with the grossest blasphemy, and upon the other with the most utter ignorance of what the Protestant and Roman Catholic religions were. In making the statement he had alluded to, it was, he assured the House, not his intention to attempt the conversion of a single Roman Catholic, or to say anything to hurt the feelings of either side. He had simply expressed his dissent from some of the Roman Catholic doctrines. He concurred with the noble Lord who had just sat down, that the Amendment was objectionable in laying down any precise limit in reference to the number of prisoners that would require the appointment of a Roman Catholic chaplain in any prison, on the simple ground that the number was continually varying. There was another objection to the Amendment, which had not occurred to some of his noble Friends. It had been stated that in Ireland the appointment of chaplains was in a great measure vested in the Roman Catholic bishops, for this reason that no priest could accept office unless with the sanction of his bishop; and if he were an imprudent man, he might impose on the magistrates the very man they objected to. That would be the case in England if the Bill were compulsory, and the Roman Catholic bishops might secure to themselves the right practically of appointing chaplains. That would not be the case if the Bill were permissive, because the magistrates would appoint and dismiss; and if the Roman Catholic bishop refused to sanction the appointment of any chaplain except those the magistrates objected to, the injury done to the Roman Catholics would be done, not by the magistrates, but by the Roman Catholic bishops, who would not only deprive their people of religious instruction in their own faith, but would place them in the hands of the Protestant chaplains. He was willing that Roman Catholic prisoners should receive religious instruction, but it was absolutely necessary to keep the appointment and control of the chaplains in the hands of the magistrates, and that could only be done, in his view, by making the Bill permissive instead of compulsory.

After a few words from Lord POLWARTH and the Marquess of BATH, the Amendment was negatived without a division.

Amendments made: The Report thereof to be received on *Thursday* next; and Bill to be *printed* as amended. (No. 137.)

CASE OF SERGEANT MAJOR LILLEY.

QUESTION.

THE EARL OF SHAFTESBURY: My Lords, although I have given notice of my intention to put a Question to the Secretary of State for War, relating to the cases of Lieutenant Colonel Crawley and Sergeant Major Lilley, I do not propose to introduce it by any preliminary observations. I have no official knowledge of the matter, and I must be careful to say nothing, nor to make any observations that might give rise to unfounded suspicions or unjust impressions. But, at the same time, I think your Lordships will admit, that whether right or wrong, so frightful a picture as that presented in the case I have alluded to has never yet been brought under the notice of the British public; and I must add, that as far as I can judge, what has taken place hitherto is most unsatisfactory, and such, I believe, is also the judgment of the public. It is a matter of the very highest importance—it is of the highest importance to the safety and the discipline of the army—it is of the highest importance to the honour of the country, both of itself and in respect of the estimation in which it is held among foreign nations. I do not recollect in my experience any matter which has more profoundly moved the public feelings of the country. It is most desirable that further information should be given, and the whole matter should be further searched into and the facts laid bare before the public. Therefore, I will simply, in the words of my notice, ask the Secretary of State for War, Whether it is the intention of the Government to institute any further Inquiry into the Cases of Lieutenant Colonel Crawley and Sergeant Major Lilley?

THE DUKE OF CAMBRIDGE: My Lords, before my noble Friend the Secretary of State for War replies to the Question that has been put by the noble Earl, I think your Lordships will permit me to interpose in order that I may make one or two observations, not with reference to the circumstances connected with the court martial upon the late Paymaster Smales, nor with reference to anything that may occur hereafter should it be deemed, as I believe it will be found, necessary to have a court martial upon Lieutenant Colonel Crawley. But so much has been said with respect to the position I fill, and as to the line I have taken with regard to this melancholy proceeding, that it is right that your Lordships and the country should know the exact relative position in which I, filling the high position I have the honour to occupy, stand with reference to the Commander-in-Chief in India—and, in short, how I stand with reference to the whole matter. It may not be known to your Lordships that the conduct of the discipline of the army in India rests entirely with the Commander-in-Chief in India, and that as far my supervision extends it is merely that I stand in the position of a referee—in the position of a last appeal. But so seldom is that power exercised that I believe there is no instance—or, at least, but a very distant one—when there has been any interference on the part of the Commander-in-Chief in England with regard to any court martial held in India. To such an extent does this go, that whereas the Commander-in-Chief in England submits to Her Majesty the name of any officer who, having been tried by court martial, is sentenced to be cashiered, and the actual cashiering does not take place until the Queen's pleasure has been taken, in India the fiat of the Commander-in-Chief in that country is absolute, and no reference is made to the Queen's pleasure. As I have taken notice of these proceedings, the noble Earl may say, why take notice of them at all? I will explain. As I have said, there is, no doubt, a last appeal to the Commander-in-Chief at home. The course of proceeding is this. When a court martial takes place in India, the circumstance is reported to the Commander-in-Chief in England, in order that he may know how to act in such proceedings. The report of the court martial itself is transmitted to the Judge Advocate General, who forwards it to the Commander-in-Chief here, who has an opportunity of looking into the proceedings. He then merely returns it as a record to the Judge Advocate General's office. When these proceedings came to my notice, I must confess that I felt, as the noble Earl appears to feel, that there was something very peculiar and most singular in these proceedings, and they struck me as being so remarkable that it was right that the course which had been adopted should be, to a great extent, reviewed by the Commander-in-Chief at home, and his official opinion obtained upon them. Having arrived at that conclusion, how was I, my Lords, to act? Was I to act by the immediate removal of the officer chiefly implicated? In reviewing this case, it certainly appeared to be evident that very unfortunate and melancholy circumstances had occurred as regards this sergeant major; but, at the same time, I must frankly say, that it is only very recently that the real facts of the case have come to my knowledge. At the time my Memorandum was drawn up I was not in possession of the whole facts of the case. I knew some of the facts, but much was left behind that I had no doubt would in time be elicited; and I therefore abstained from doing more than expressing a very decided and positive opinion upon the whole case as regards Lieutenant Colonel Crawley. At the same time, I reserved myself to this extent—that unless I was satisfied on certain points on which I had then considerable doubt, I should be compelled to remove that officer from the command of his regiment. Now, it has been said that the reason why no action was taken was that two eminent men were concerned in the transaction—Sir Hugh Rose and Sir William Mansfield. No doubt these two distinguished general officers were concerned; but the question arises, were they concerned in such a manner that I was called on to take action with regard to them? Now, I most conscientiously believe that these two distinguished officers had every desire to do their duty, but that they committed a very serious error of judgment. That was my conviction, and I believe that to be the real state of the case. I believe that will come out as the result of any further investigation that may take place. But even as to the question of the irregularity of the imprisonment, to which such importance has been given, the facts connected with that imprisonment were not known to me when my Memorandum was written. It is only very recently that they have come to my knowledge. Of course, it was impossible for me to decide in the case, when really and truly I did not know the circumstances. I could not suppose that there could be any personal feeling in this matter on the part of these distinguished officers—Sir Hugh Rose and Sir William Mansfield. Not their military reputation merely, but their high character in the various eminent positions they had filled, led me to the conviction that they had erred in judgment, and certainly not from a desire to do what was cruel, unjust, or wrong in point of law. Their high character, I admit, had weight with me, and I must say I cannot conceive that either I or any other official person could have been justified in coming to a rash conclusion in so delicate and important a question. As to the result, I hope to prove in both cases I have not acted so undecidedly as I see I am accused of having done. Because, what has occurred? Why, at a very recent period circumstances have come to my knowledge which render it not only desirable but necessary to bring to a court martial Lieutenant Colonel Crawley. I am not going into the case, which is pending a judicial trial. It is only, I repeat, within a very few days—ten days—that I have been in a position to advise that that trial should take place upon the merits of the case. A great deal of time has elapsed since this case was first brought before the court; and I may be asked why such delay has occurred. Now, it must be recollected, my Lords, that the whole of these occurrences took place in India. It takes nearly three months before an answer can be had to any question that may arise here. We have had hardly a single paper from India with reference to this subject that has not required on our part fresh questions to be sent and fresh replies to be received from India. This going back and forward of communications, with three months' interval between each question, has protracted this unfortunate business longer than I could have wished, or than your Lordships perhaps may have expected. And now a further delay must occur. Sir William Mansfield, under whom this regiment is serving, is stationed in Bombay; but, as the Queen's troops in India are under the command in chief of the General Officer in Bengal, the consequence is that every question of this description must go from Bombay to Bengal before it can come back officially to me. I have been obliged to point out these facts to your Lordships in order to show that whatever has been done has been done with a view not to screen any person, but with the strictest and most earnest desire to do justice to all—not only to do justice to the feelings of distress naturally occasioned by the painful circumstances that have occurred, but also to do justice to those who have been implicated, and to whom your Lordships must wish to give every possible opportunity of defending and justifying themselves, if it is possible for them to do so. That, my Lords, is the only statement I have to make. As to any pressure being put upon me, I of course spurn the idea. It does so happen that I have never discussed the matter with any single individual except in an official manner, and then only with those parties on whose judgment I was enabled to rely in coming to a sound, just, and safe conclusion.

EARL DE GREY AND RIPON said, that the speech of the illustrious Duke entirely relieved him from the necessity of saying more than a very few words on this subject, because, as their Lordships had been told, the intention of his Royal Highness the Commander-in-Chief was to bring Lieutenant Colonel Crawley to a court martial for the circumstances attending the death of Sergeant Major Lilley. As to the precise nature of the charges and the mode in which the trial would be conducted, these matters were now under the consideration of the authorities, and the case being handed over to a competent judicial tribunal, he should feel it his duty to refrain from expressing any opinion on the subject. He would only assure their Lordships that every step would be taken by the Government to insure that the inquiry should be conducted in the most open and fair manner, in order to secure the ends of justice as between all parties.

THE EARL OF SHAFTESBURY hoped the inquiry would take place in England. It would be most unsatisfactory if it were transferred to India. In India the question had been almost prejudged by the allegation that Sergeant Major Lilley had died of apoplexy caused by habitual intoxication. He therefore repeated the hope, which was shared by a very large portion of the people of England, that the inquiry would take place here, and not in India.

The Earl of MALMESBURY wished to state, in justice to Lieutenant General Sir Hugh Rose, that he had that day seen a letter from that officer, stating that he should not have made the remarks he did, as to the death of Sergeant Major Lilley having been occasioned by intemperate habits, but for the written statement he received from Dr. Turnbull, the medical officer who attended him in prison, which mentioned the number of glasses of spirits which were drunk, and which were certainly sufficient to lead to his death from apoplexy. He thought it but fair to mention this. Whether it was true or not, Sir Hugh Rose had received that statement from the medical man who had attended Sergeant Major Lilley in prison, and that must, to a certain degree, vindicate Sir Hugh Rose in the remarks he had made.

REDEMPTION OF RENTS (IRELAND) BILL [H.L.]—(No. 134.)—REPORT.

Amendments *reported* (according to Order).

The Earl of DONOUGHMORE said, that having had a private communication with his noble Friend (the Earl of Belmore), who had given notice to move to omit Clause 10, he would move to omit certain words and insert others to make the sanction of the Judge of the Landed Estates Court necessary for the sale of any reservations.

The Earl of BELMORE said, that he would accept the compromise offered by his noble Friend. At the same time, he still retained his objection to the clause—namely, that it gave power to sell something of which the future value could not be satisfactorily ascertained.

The LORD CHANCELLOR hoped that the Bill might be reprinted, in order that it might be properly considered. Here was an Amendment made, and then withdrawn, and another Amendment made, and it was impossible to know what might be the consequences with regard to the action of the Court.

The Earl of DONOUGHMORE had no objection to the Bill being reprinted.

Bill to be read 3^a on *Thursday* next; and Bill, with the Amendments, to be *printed.* (No. 139.)

DUCHY OF CORNWALL MANAGEMENT BILL [H.L.]—(No. 135.)

THIRD READING.

The Consent of Her Majesty and the Consent of His Royal Highness The Prince of Wales, in right of His Duchy of Cornwall, signified; Bill read 3^a (according to Order); an Amendment made; Bill *passed,* and sent to the Commons.

The Earl of Shaftesbury

House adjourned at a quarter past
Eight o'clock, till to-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Monday, June 15, 1863.

MINUTES.]—New Writ Issued—for Lisburn, *v.* John Doherty Barbour, esquire, void Election.

Supply—*considered* in Committee—Civil Service (Supplementary Estimate), Vote No. 28.

Resolutions (June 11) *reported*

Public Bills — *First Reading* — Mutiny (East India) Act Repeal * [Bill 166].

Second Reading—London, &c. Dioceses (*Lords*) * [Bill 133]; Charitable Uses [Bill 146]; Trout, &c. Fishing (Scotland) [Bill 146], *negatived.*

Committee— Pier and Harbour Orders Confirmation (*on re-committal*) [Bill 148].

Report—Pier and Harbour Orders Confirmation.

Considered as amended—Offences (South Africa) (*Lords*) * [Bill 113]; Sheep and Cattle (Scotland) * [Bill 115]; Metropolis Turnpike Roads Act Amendment * [Bill 131].

Third Reading—Volunteers [Bill 152]; Regimental Debts, &c. * [Bill 149]; Innkeepers' Liability (No. 1) [Mr. Wykeham Martin] * [Bill 157]; and severally *passed.*

TELEGRAPHIC COMMUNICATION WITH AMERICA.—QUESTION.

Mr. CAVE said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government have received information respecting an International Conference, which, according to the *Moniteur*, has been opened in Paris for the purpose of examining into the project of a Telegraphic Line from Europe to North America, *viâ* Brazil and the West Indies; and whether any steps have been taken for the representation of this country at such Conference?

Mr. LAYARD said, in reply, that proposals had been made to Her Majesty's Government asking them to take part in a Conference which had been held in Paris; but the Treasury were of opinion, that in consequence of the engagements into which the Government had entered, it would not be desirable that they should join in the consideration of any other project.

AFFAIRS OF JAPAN.
QUESTION.

MR. LIDDELL said, he rose to ask of the Under Secretary of State for Foreign Affairs, What is the precise nature of the demands made by Her Majesty's Government upon the Government of Japan, in the shape of reparation for outrages committed upon British subjects in that country ; and whether there is any objection to state what Instructions have been sent to the British Admiral on the station as to the steps to be taken in the event of the Tycoon's refusal to comply with those demands; and also whether Her Majesty's Government have any ground for supposing that the Tycoon has the power, even if he has the will, to obtain from Prince Satsuma reparation for the murder of Mr. Richardson?

MR. LAYARD said, in reply, that, as the House was aware, some months ago a murderous attack was made upon four British subjects who were riding upon the high road near Jeddo which had been opened to foreigners under treaty. Mr. Richardson was killed, two of the gentlemen were wounded, and a lady, who was of the party, escaped almost by a miracle. This was not the only outrage which had recently been committed upon British subjects in Japan, and Her Majesty's Government had made demands upon the Japanese Government, the nature of which he had no objection to state. In the first place, they demanded an ample and formal apology for the murder of a British subject on a road which had been opened by treaty, and the payment of £100,000 by the Government of Japan as the penalty for that offence. His hon. Friend had asked whether the Tycoon had power to enforce reparation from a powerful Daimio like the prince whose followers, headed by his father, had committed the offence. Her Majesty's Government had demanded that punishment should be inflicted upon that chief, and that the persons implicated in the outrage should be taken, tried, and, if found guilty, executed in the presence of one or more British officers, and that a sum of £25,000 should be paid by Prince Satsuma as compensation to the family of the victim and those who suffered in the assault. Whether or not the Japanese Government had power to enforce this demand on Prince Satsuma he could not at present state. There was a further demand in consequence of the murder of two marines who were on duty as sentinels when the British Legation was attacked on the 25th of June last. For this a sum of £10,000 had been demanded as compensation to the families of the victims. It would not be in accordance with precedent for him to state the instructions which had been given to the Admiral, but he believed that they were such as were likely to enforce the demands of Her Majesty's Government.

MR. PRITCHARD, LATE CONSUL AT THE FEEJEE ISLANDS.—QUESTION.

MR. CRAWFORD said, he wished to ask the Under Secretary of State for Foreign Affairs, If Mr. Pritchard still fills the office of Her Majesty's Consul at the Feejee Islands; if not, when he was removed, and whether any public notification has been made of his supersession; also to state the extent of any authority Mr. Pritchard may have had, as Consul, to draw bills on Her Majesty's Government?

MR. LAYARD replied, that Mr. Pritchard was no longer Consul at the Feejee Islands, having been removed in January last. The person appointed to supersede him provisionally had arrived in the Feejee Islands, but no public notice was ever given of such a supersession. Mr. Pritchard had the usual authority to draw bills upon Her Majesty's Government to such an amount as was required by the expenditure sanctioned by the Foreign Office. He drew bills beyond those requirements; a Commission was appointed to inquire into his conduct, and its Report was such that Her Majesty's Government thought that they were justified in superseding him.

CASE OF CAPTAIN MELVILLE WHITE.
QUESTION.

In reply to Colonel FRENCH,

MR. LAYARD stated, that by despatches which had been received on Saturday, the Government learned that the Peruvian Government had instructed their Representative in this country to come to an understanding as to the Power to whose arbitration the claims of Captain Melville White against the Peruvian Government should be referred. When the selection was made, he should be glad to inform his hon. and gallant Friend what Power had been chosen for that purpose.

CESSION OF THE IONIAN ISLANDS.

NOTICE.

MR. SEYMOUR FITZGERALD gave notice, that the noble Lord at the head of the Government having, in reply to questions asked by his (Mr. Seymour Fitzgerald's) noble Friend the Member for North Leicestershire (Lord John Manners), stated that Turkey had had nothing to do with the placing of the Ionian Islands under the protection of the British Government, and therefore certainly would have nothing to do with their cession, he should, on Friday next, ask the noble Lord whether his attention had been called to the fact that the Porte was formally asked to accede, and did formally accede, to the Treaty of Vienna, and that a copy of the document containing that accession was to be found in *De Hauterive's Treaties*, vol. v., page 10; and whether that fact would cause him to change the opinion which he had expressed upon this subject.

SUPPLY.

Order for Committee read.

BUSINESS OF THE HOUSE—AFFAIRS OF POLAND—THE IRISH CHURCH—THE EXHIBITION VOTE.

VISCOUNT PALMERSTON: In moving, Sir, that you now leave the chair, I would appeal to the hon. Member for Tipperary (The O'Donoghue), who has given notice of his intention to bring the Question of the Irish Church under consideration this evening, to postpone that Motion to the day which is already occupied by my hon. Friend the Member for Liskeard—Friday week—for the discussion of that question. The House is, I believe, anxious to go into another question, and the hon. Member for the King's County (Mr. Hennessy) has been good enough, and with great courtesy, to postpone his Motion on the subject of Poland to this day week. I hope the hon. Member for Tipperary will show himself not less courteous than his countryman, and will postpone his discussion till the day when the subject is to brought under the discussion of the House by the hon. Member for Liskeard.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE O'DONOGHUE: Sir, I have to state that I have no notice on the paper with respect to the Irish Church; but I also regret to say, that after the way the noble Lord has treated the Irish Church question, I should not feel justified, if I had, in giving way. The noble Lord has shown no kind of courtesy to me when, night after night, I asked for a night to discuss the question; and therefore, without in the least degree departing from that courtesy which my countrymen proverbially are said to possess, I should have felt myself bound to go on. On Friday night the hon. Member for the King's County said, in reply to a request from the noble Lord, that he would postpone the discussion on the Polish question provided other Members would give way. Upon this my hon. Friend the Member for Liskeard said he would go on with the Irish Church question, and then the hon. Member for the King's County said that in that case he would go on with the Polish question. Relying upon that, my hon. Friend the Member for Liskeard did not to-day come down to the House prepared to go on with the Irish Church question. I was certainly under the impression that my hon. Friend would go on with the Polish question, as I consider he is bound to do.

MR. HENNESSY: I do not think I am bound to go on. I told the noble Lord on Friday night that I was perfectly willing to accept his wishes as law, and that with regard to the question of Poland I was prepared to give way, provided other hon. Gentlemen would also give way. I believed that the other Gentlemen, including the hon. Member for Liskeard, had given way. [Mr. BERNAL OSBORNE: I beg your pardon.] Of course; therefore if my hon. Friend and the other hon. Members have given way, I feel myself bound to do so too.

MR BERNAL OSBORNE: I do not know, Sir, whether I am in order, nor am I aware whether the word "duped" is a Parliamentary word. If it is not, I will not use it. Nevertheless, I conceive that I and many other hon. Gentlemen have been duped in this matter, and I cannot understand the wonderful anxiety to bring on this Motion for the purchase of the Exhibition Building. When I left this House on Saturday, I fully understood the hon. Member for the King's County to have pledged himself to me, in the lobby of the House, that he would bring on the question of Poland to-night. I never was more surprised than, on my arrival in town, to receive the short missive from my hon.

Friend the Secretary to the Treasury, which I shall read to the House, as it is necessary that I should explain my part in this transaction, which would otherwise look as if I had been "fighting a cross." The note was to this effect—

> "Lord Palmerston hopes you will not object to his proceeding with the Kensington Vote this evening, and would be obliged to you to reserve yourself for Friday week, when he is glad to perceive you have secured an opportunity of bringing on the Motion of the Irish Church."

Not a word is said about Poland. Of course, under these circumstances, I did not come prepared to bring on the Motion relative to the Irish Church; but I must say, I think the hon. Member for the King's County has broken his pledge to me. ["No, no!"] Well, that may not be your opinion, but it is mine. For my own part, I do not know why the noble Lord is so anxious to buy this Exhibition Building. I do not think we possess the papers and information requisite for discussing the subject properly; and I am at a loss to understand the reason why the question is being indecently hurried and huddled through this House. I desire to assure the House that I am no party to this transaction, and that I consider myself to be a miserable dupe.

Mr. HENNESSY: As a matter personal to myself, I desire to assure my hon. Friend that I have broken no pledge. I hold in my hand the voluminous papers and notes with which I came down prepared to make my statement about Poland. But finding that my hon. Friend the Member for Liskeard had put off his notice with reference to the Irish Caurch, I was bound in honour not to go on.

The O'DONOGHUE: When the hon. Member for Liskeard says, that the hon. Member for King's County broke his pledge, it is easy for hon. Members to say "No, no!" but I do think, after what passed between the two hon. Members, that the hon. Member for King's County was bound to go on.

Mr. HORSMAN: I wish to remind the House of the position in which the question now stands. The hon. Member for the King's County agreed to give way, provided other Members agreed to do the same. The hon. Member for Liskeard refused to give way, and of course in that case the hon. Member for the King's County was to go on with his Motion. But it is now found that the hon. Member for Liskeard has postponed his Motion — that he has taken it off the paper for to-day, and put it down for Friday week. He did that before he received the note which he has read; and as soon as I saw that change on the Votes on Saturday morning, I concluded that the hon. Member for the King's County would give way, because the hon. Member for Liskeard had postponed his Motion. We have nothing to do with conversations which took place in the lobby. The hon. Member for the King's County stated publicly in the House that he would give way if other Members would do the same; and the hon. Member for Liskeard having put down his Motion for Friday week, the hon. Member for the King's County was bound to fulfil the pledge which he gave.

Mr. MACEVOY said, that probably, if the noble Viscount would say that he would give a day for the discussion of the Irish Church question, his hon. Friend the Member for Tipperary and the hon. Member for Liskeard would give way.

Sir HENRY WILLOUGHBY said, he wished to ask the Chancellor of the Exchequer for an explanation of the circumstances under which a large sum of money —£150,000—was asked some years ago for a portion of the lands at Kensington, and whether the House did not retain a lien of some description over that propery.

The CHANCELLOR of the EXCHEQUER said, that the transactions referred to by the hon. Baronet were entirely gone by, but there was no difficulty in giving the required explanation. During the Government of the Earl of Derby in 1852, or else in the subsequent year, a sum of £177,500 was voted for the purchase in fee of one moiety of the Kensington Estate, to be held jointly between the Commissioners of 1851 and Her Majesty's Government. A Minute was forwarded to the Treasury arranging the form of partnership, so to speak, and as to the management and control of the estate. No proposals, which were made for turning that estate to useful purposes, were made for some time, and when proposals were made they were not successful; and it was thought better—he believed during the Government of the Earl of Derby, in 1858—that the partnership should be dissolved, and the money repaid which had been contributed by the State. Accordingly, arrangements were made for repayment, and a sum of £181,379 was accordingly restored, but the whole of that amount was not paid in cash; £121,000 was actually paid in money, and £60,000 worth of land was given, consisting of about twelve acres, now forming the site of the South Kensington Museum. He believed that £60,000 was much below the estimated value of that piece of ground, and consequently it was not sold unconditionally to the Government, but with a proviso that the land should only be applied to purposes connected with science and art; and if applied to any other purposes, that the right of the Commissioners to receive a sum of money equivalent to the sacrifice which they made in parting with the land should revive. In order to meet a portion of their engagements in 1858, the Commissioners had been obliged to mortgage their lands to a certain extent. The Government, however, had no claim or lien of any kind upon them, and the Commissioners, in the face of the Government, were the sole and absolute proprietors. The difference between the sums of £177,500 and £181,379 was accounted for by a moiety of the rents which had been received up to the dissolution of partnership in 1858-9. That was the whole of the information upon the question raised by the hon. Baronet, and he hoped he had satisfied him that these transactions left the present subject, which now stood for discussion, entirely disembarrassed and free.

Motion *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply *considered* in Committee.

(In the Committee.)

(1.) Motion made, and Question proposed,

"That a sum, not exceeding £67,000, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for the Purchase of Land and certain Buildings from Her Majesty's Commissioners for the Exhibition of 1851."

Viscount PALMERSTON: Sir, I rise to propose the Vote of which notice has been given, for the purchase of land and buildings on the site of the Exhibitions of 1851 and 1862. This City of London may, without exaggeration, be called the commercial capital of the world. It ranks high among the great political centres of civilized nations, and in point of wealth and population it may very fairly be stated to exceed any other European city. But the very circumstances which I have mentioned — the great wealth and great population of the City—have tended progressively to impair the architectural and ornamental character of the town. Our streets are narrow, our open spaces few and small, our public buildings are not many, and, respecting those which do exist, differences of opinion prevail as to their propriety of ornamentation and architectural design. We have not, in this town, what are to be found in many smaller towns upon the Continent, a great number of splendid palaces belonging to individuals. When we have mentioned Northumberland House, and, perhaps, Lansdowne House, if we are called on to enumerate other great ornamental constructions, we shall be driven to the, no doubt, very beautiful collection of apparent palaces—the clubs in Pall Mall, many of which are imitations of beautiful palaces on the Continent. In all the Italian towns, at Prague, and in most German towns, there are large piles of ornamental buildings which represent the wealth and taste of the nobility of those countries. What is the reason of that? What is the reason of the inferiority of this city, as compared with other first-rate towns, in regard to the conditions of the space occupied by and the character of the buildings? The great run of the private houses of London may really be termed mean. I am not speaking of those more lately constructed, which are on a better plan; but the old red-brick houses of London are low, they are destitute of architectural ornament, and may be said to be mean in their character. What is the cause? It arises from the great value of the ground —from the immense competition which the wealth of the metropolis causes for the smallest spaces of ground. People are unable to buy a large quantity of ground on which to construct a house, and having paid dearly for such portion of the land as they require, they have smaller disposable means for the erection of ornamental and handsome structures. The price of land in London is very great. I will just mention a few instances to show the value that attaches to the surface in this great town. A few years ago, when improvements were made between Oxford Street and Holborn, the land was purchased at £57,000 an acre. In the improvement of Charlotte Street, the land cost £67,000 an acre. In the improvement between Coventry Street and Long Acre, the land cost £119,000 an acre. The other day, my right hon. Friend the First Commissioner of Works, in proposing the construction of a new street from Blackfriars Bridge to the Mansion House, having brought in a Bill which gave the street a width of seventy feet, proposed to increase it to eighty feet. He was, however, told, that the addition of ten feet along the length of the street, which was not a very long one, would add £100,000 to the expense, and upon that statement he gave it up. A few years ago, there was a vacant space near St. Paul's. I cannot say what fraction of an acre it represented; but when the City of London were desired to leave that space unoccupied, so as to give a wider area for the best view of the Cathedral, they answered that the value of the site was £60,000, and that they did not feel themselves justified in making the whole of that sacrifice merely for such a purpose. But not only is the price of land in this town very high; but the same causes operate in the provincial towns in the country. In Manchester, land had been sold for £50,000 an acre, and sometimes it has been sold by the square yard, and as much as £200,000 per acre has been given for land in the best parts of the town. In Birmingham, the land held by the London and North Western Railway was sold for from £57,000 to £60,000 an acre. At Liverpool, land has been sold at £30 per square yard, or nearly at the rate of £150,000 per acre, and in other parts of the town at £100,000 per acre. Therefore, I say that the natural progress of wealth and civilization tends to add greatly to the value of land to be covered by buildings in the interior of towns; and admitting that there are certain requisites which are necessary for the development of the public establishments and buildings, the question arises where the land for such purposes can be acquired, and whether we should look for it in the centre of the town, where everything is covered with valuable property, or whether we should embrace the opportunity of acquiring it at certain greater distances, but still within reach for all the purposes to which it is to be applied. Well, we hold that the land held at Kensington by the Commissioners of 1863 does afford the means of providing for our immediate and prospective wants, and we are able to get land there for our immediate purposes on terms infinitely cheaper than those on which land can be acquired nearer the centre of the metropolis.

Now, the question is, what do we want? What are the requirements that press on the Government? In the first place, we want a Patent Museum. Any one who considers the value of a great collection of models and inventions to those employed in the mechanical and productive arts of the country, must know that it is of great importance that they should have access to a repository in which they can find everything connected with that particular department of industry to which they have devoted themselves. In America, a country not supposed to be addicted to unnecessary ornament, but where a great disposition is shown to practical improvement, there is a Patent Museum which covers eleven acres. Well, we do not propose a museum of such dimensions. I think that about three acres will be sufficient for all present needs in regard to a Museum of Patents. Then we want an addition to the British Museum. The question then arises where that addition is to be found—whether the land is to be had by purchasing land in immediate contiguity to the British Museum, or by the purchase of land at Kensington, as we propose. Calculations have been made that eight acres are required, but that is, I think, more than is necessary. I think that five acres would be a nearer approximation, and three acres have been named as the smallest amount of space that is required. Well, we have got together, at some expense and trouble, a most interesting collection of portraits of distinguished men connected with the history of the country. They are now placed in a house where they cannot be seen, and it is urgently desirable to have a better building in which to place that Portrait Gallery. Then we have a Museum at Kensington, full of most valuable and instructive productions, and a Committee of the House of Commons that sat two or three years ago strongly recommended additions to that institution.

Now, we calculate the cost of these various augmentations—supposing that the land were bought in the metropolis and at the rate which it now bears—as follows:—If eight acres are taken for the British Museum, the cost of land will be £390,000 and the buildings £824,000, making a total of £1,214,000. If five acres only are required, the land will cost £240,000 and the building £567,000, making a total of £807,000. Supposing the lowest estimate of three acres to be sufficient, the land will cost £150,000 and the building £300,000, making a total of £450,000. I then take the Patent Museum, which will require three acres. The land is set down at £100,000, and the building at £100,000, making together £200,000. The Kensington Museum will require for its extension a Vote of £25,000 in 1864, and £25,000 in 1865, making together £50,000. There is no purchase of land necessary there, because the land is already assigned to the public. The Portrait Gallery will require half an acre, and we calculate will cost £25,000 for land, and £25,000 for the building, or together £50,000. These sums would come to the following total:—If you take eight acres for the British Museum, the total for all these buildings will be £1,514,000; if you take five acres, £1,107,000; if three acres, £750,000. Assuming that these are wants which Parliament may think it proper to meet, these would be the sums you would require if you took land now occupied by houses in any central part of town. Now, the proposal that we make is one which the Committee will see is a very economical one. By the plan which we recommend we should have much more space and at far smaller expense. The arrangement that we propose is, that the public should purchase seventeen and a half acres. [Several hon. MEMBERS: Sixteen.] No—seventeen acres of the land belonging to the Commissioners, which is now covered with the building in which the Exhibition took place. For that land the Commissioners are willing to take £120,000. My hon. Friend will admit that to get seventeen acres of land at about £7,000 per acre, for which we should pay £50,000, £60,000, or £70,000 elsewhere, is a considerable advantage.

In addition, there is the existing building, and we think it would be good economy to purchase that building, and to adapt it to the purposes for which we want accommodation. Now, the arrangement made by the Commissioners with the contractors was, that they were to pay a large sum to the latter, of which a portion was to be repaid out of the proceeds of the Exhibition, and then, if no other arrangement should be made, the contractors were to be allowed to remove the building at the expiration of a certain time. For the use of the building the Commissioners were to pay £300,000, and if they bought the building afterwards, an additional sum of £130,000, making a total of £430,000. There was paid out of the proceeds of the Exhibition £230,000, and we now propose to add to that £80,000 for the purchase of the building as it stands, making altogether £310,000, which is considerably less than the contractors were entitled to receive if the whole thing had answered; but, as it is, that sum would save them harmless. The £80,000 is a sum arrived at upon calculation of the value of the materials, and little more. The contractors asked more; the Government thought that a smaller sum might be sufficient; the question was referred to very competent authorities, who had no interest whatever in the matter, but who, from their attainments and habits of business, were likely to be good judges, and the amount of £80,000 was fixed as the sum which was fair as between the public and the contractors for taking the building as it stands. Well, then, according to that calculation—of £120,000 for the purchase of seventeen acres, and £80,000 for the building, we should for £200,000 enter into possession of seventeen acres and a large building standing thereupon—a building which undoubtedly would be too large for our present wants, but which would be kept up at a very trifling expense, and would be available for any future purpose which the progress and development of the Arts and Sciences might require.

The building, however, was not completed by the contractors upon the plan of being a permanent public building, applicable to our present purposes; and no doubt some expense will be necessary to render it substantial and fit for the purposes for which we want it. But I think I can show, taking that into account, we get for our money more value than we should obtain supposing the building taken away, and we had to erect another on the ground for the purpose which we have in view. The estimate of the sums required to make the building substantial is in the hands of hon. Members. It is £154,000. This calculation has been made by Mr. Hunt, Surveyor to the Board of Works, a man quite competent to make it, and of whom it may be said that his calculations in many cases have come nearer to the actual expense incurred than any calculations that have been made by any other person in his profession. I believe, with regard to the Foreign Office building, the difference between his estimate and the actual sum contracted for was something like £2,000. The Committee, therefore, may confidently rely upon this, that these calculations would not be exceeded. [*Ironical cheers.*] Well, that is a mere matter of opinion: hon. Gentlemen are led away by experience of former instances. Unfortunately, the ingenuity and successive developments of the imagination of architects have led the public at times into much heavier expenses than were originally contemplated; but I am firmly convinced that in this matter—not a matter of imagination and ornamentation, but a matter which can be well and strictly calculated by persons conversant with such things—the House and the Committee may be sure that these estimates will cover the expense likely to be incurred. There are many parts of the building which were constructed for temporary purposes, and which, if the building were retained for permanent use, would require to be made more solid. Things that are now in wood would require to be made of something more durable. [*A laugh.*] Hon. Gentlemen may laugh, but they should remember that the building was erected for a special purpose, and has answered that purpose. You want it for a different purpose, and it is quite clear that many parts of it would require to be altered. But that is no argument against the plan, and I think my hon. Friend will find that the money which we ask would give to the public a good, permanent, and economical building. Then there are the two domes—and some people take objection to a dome. I am not one of those. I think a dome is a handsome thing. Those who look at St. Paul's or St. Peter's will not be of opinion that a dome is at all disfiguring, but that it is a great ornament. The Exhibition domes, however, are of glass, and it is proposed to reconstruct them in a more solid manner, that they should rest on brick, and that they should be made as like as possible to the dome of the British Museum, which has been regarded with admiration by every one. That alteration, it is supposed, would cost about £40,000. Well, then, a building to be used for public purposes, would require to be warmed and ventilated, and the cost of doing so is calculated at £30,000. Then the picture gallery would require a fire-proof floor. With the utmost care, as we have lately seen, it is difficult to guard against fire, and in a building in which such valuable property would be deposited it is manifest that a fire-proof floor would be required. Then, the exterior is plainly and simply constructed, and it is proposed to ornament it with cement, and to add to it that higher degree of embellishment of which we see examples in the clubs of Pall Mall. The expense of that would be £45,000. It would not interfere with the architectural character of the exterior, but would give it a coating of cement, which is durable and pleasing to the eye. I will therefore take £284,000 for all this, which, added to the £200,000 for the purchase of the land and compensation to the contractors, would make the £484,000. Well, for that £484,000 you would have seventeen acres covered with a substantial building, requiring but slight annual repair, well adapted to the various purposes for which you want it, and capable of great extension; and you have all this to set off against £750,000, which, upon the narrowest basis, supposing that three acres only were required, is the sum that would be necessary for the additional space which the British Museum alone would want. Well, the arrangement we propose is, I humbly think, one which the Committee will not deem extravagant, or likely to involve them in expense which they cannot foresee, or which they would not be justified in incurring. In the calculations which I have laid before the Committee I assume that the whole building as it stands will be repaired, made solid, and adapted to the purposes for which we want it. But it is probable, that for the present not more than one-half of that building would be urgently required to be so completed; and, if that be so, the £284,000 might be divided into two, and the immediate expense—the expense to be incurred this year, next year, and the year after—would be only £142,000, which, added to the £200,000 for the purchase of the land and the building, would make only £342,000, as compared with £750,000, the sum which it is calculated it would cost to get hardly the same extent of accommodation in a different part of the town.

Sundry people, however, think that it would be enough to buy the ground, and let the contractors carry away the building. There is a notion among many that this would be an economical proceeding; but I think that the Committee will see that this would be the most expensive plan. Supposing the ground were clear, you would have to erect on it buildings adequate in size and dimensions for the purposes for which they are required;

and it would cost far more to erect new buildings on the ground than to purchase the existing structure and adapt it to the purposes for which it is wanted. If the present building were taken away, you would want a Patent Museum, which, as I have stated, would cost £100,000, the enlargement for the British Museum would cost 240,000, and the addition which would be wanted for the South Kensington Museum I will take not at £50,000, but £40,000, as £10,000 might be avoided. Then there would be another sum of £25,000 for the Historical Portrait Gallery, making a total of £405,000. On the other hand, by the proposed purchase, you would have to pay £80,000 for the building, and £286,000, ultimately, for alterations, making a total of £366,000, to be set against the sum of £405,000, and leaving, at all events, upon that comparison, a saving of £39,000, and probably £40,000.

There is also this to be considered—that when we engage in erecting public buildings, gentlemen of taste, architects, and the Institute of Architects, quoted by the hon. Gentleman opposite, step in with their plans and opinions. Plain buildings are said not to be suitable, ornament is demanded, and stone fronts are reckoned necessary. When you are beginning *de novo,* people say they cannot be content with brick fronts covered with cement. We know that taste is a very dear enjoyment, depend upon it; and if you call on a number of distinguished architects to give you plans, such a course would lead you into an expense infinitely greater than that which we now propose, and I do not know whether, upon the whole, you would get a building more approved by the country or better adapted for its purposes. Then, I say, we have here offered to us seventeen acres of land at £7,000 an acre, whereas the land, if it were offered to the public to-morrow for erecting private buildings on, would indisputably fetch £15,000 an acre. Therefore, by the purchase we are gainers of the whole amount of the difference between £7,000 and £15,000 an acre for these seventeen acres. In fact, we should not have got this bargain unless it had been owing to the particular circumstances connected with the Exhibition. The Commissioners do not, indeed, consider themselves as land speculators, but deem it their duty to contribute, as far as they have the power, to the promotion of art and science in this country. I should hope that hon. Gentlemen would not be led away by any difference of opinion as to the particular style of ornament for the structure. No doubt, the face of the building would be improved in appearance when it is covered with cement. That style of finishing, I maintain, admits of the addition of pure ornamentation.

I have stated what we propose to do; and now I may as well state what we do not propose to do, because matters have been introduced which are not immediately connected with this subject and on which great diversity of opinion prevails. We do not propose to remove the National Gallery from Trafalgar Square to this new building. The ultimate arrangement with respect to the National Gallery, as between the Government and the Royal Academy, is a matter to be further considered. We do not propose to send the learned bodies there. They are now lodged in Burlington House, and we think that it would not be convenient for those learned bodies to hold their periodical meetings at such a distance as Kensington. If, therefore, any hon. Gentlemen are disposed to object to the proposition of the Government, on the supposition that either of those changes is contemplated, I think it essential to disabuse them and to inform them that we have no intention to propose one or the other. I think I have stated very plainly and, I trust, distinctly, the nature of the arrangement which we propose, and which I believe will be very advantageous to the public. I believe we shall get the land to the full extent we require at a price at which we could not have obtained the necessary land in any other convenient situation. London is spreading and increasing in every direction, and a great town is rising to the south of this ground. In proportion as any country increases in the development of wealth, and art, and science, the wants for the accommodation of art and science increase. By the proposed purchase we get, not only a provision for our immediate wants, but the means of future development, at a price which I hold to be infinitely below the real value of the land, and the adaptation of the existing building will be effected at a cheaper rate than a new building, with much less accommodation, could be erected for. If the Committee were to determine, though I trust it will not, that it would have nothing to do with the present building, still the opportunity of buying the land is not to be overlooked. However, I think it would be advisable in point of economy and convenience to buy not only the land, but also the building on it; because the building can be adapted to the desired purpose at a smaller expense than a new building could be erected on the land. I may now state that, for the convenience of discussion, we propose to take the Votes separately. The first Vote will be for the purchase of the land, and the next for the purchase of the buildings upon it. The noble Viscount concluded by proposing a Vote of £67,000 towards the purchase of the specified land at South Kensington.

MR. GREGORY said, he thought that the Committee would be of opinion that the speech just delivered was not so successful as most of the speeches proceeding from the noble Lord. A little investigation would show that the arguments of the noble Lord were about as unsubstantial and as rickety as the foundations of the very pleasant edifice which the Committee was asked to purchase. It appeared to him that the Government had treated the matter in rather a jaunty way, and one would have thought that in a purchase of that description, involving so large an expenditure of public money and affecting such a variety of interests, some statements more in detail would have been presented to the Committee, and that, at all events, they might have been treated to a view of the building as it was to be when it was restored and covered with cement. The Government had not done this, but it had begged the question of a number of propositions, about which he much doubted if the House were at all prepared that the question should be begged. The noble Lord assumed that the art and science collections were to be separated; then that the Natural History Collection was to be removed to Kensington, and that the House of Commons was prepared to reverse the decision arrived at last year, that it would not adopt the gigantic plan, or sanction the gigantic expense attending Professor Owen's scheme. The noble Lord had also assumed that the new Patent Office to be constructed was to be at Kensington. He believed that there were other plans in view, to which the noble Lord had not alluded, and he should like to know from the Chancellor of the Exchequer what was the intention of the Government with respect to those plans. He understood that it was the intention of the Government that the Geological Museum in Jermyn Street should be transferred to Kensington; and he had seen an article in the great leading journal intimating that the prints at the British Museum were to be sent there. With regard to the transfer of the Natural History Collection, he did not pronounce any opinion himself; but he knew that a number of Gentlemen in that House, and the mass of the scientific world out of doors, were opposed to that transfer. At one time Professor Owen, who was a great authority, wrote so eloquently and vigorously in favour of keeping the collections of art grouped about the great national library that he exercised a vast influence on the public opinion. Professor Owen, it seemed, had now changed his mind, but the scientific world had retained theirs. There was great diversity of opinion on the question of transferring the Natural History Collections to Kensington. It was a working man's question. No fact was more clearly proved before the Committee which sat in 1860, and of which he had the honour to be Chairman, than that these collections were the most popular collections in the British Museum—that the visitors who frequented the Natural History galleries exceeded in number the whole of the visitors to all the other departments put together. Hence it was to be remembered that transferring these collections from Bloomsbury to Kensington would be taking them from the poor and giving them to the rich. People who were well to do could drive to Kensington in their own or hired carriages, but a poor man could not afford to pay sixpence for his own conveyance, or, if he took his family with him, a much larger sum, every time he visited the establishment. London was increasing in every direction, but the British Museum still preserved its central situation. If the Committee were to agree to the proposal of the Government, it would reverse the decision at which it arrived last year. The House decided last year that it would not sanction the proposal of the Chancellor of the Exchequer to roof over a space of five acres if the building were of two stories, or eleven acres if of one, for the Natural History Collections of the British Museum. That expensive plan rested exclusively on the authority of Professor Owen. He had a great respect for Professor Owen, who was a man of remarkable intelligence, and an ornament to his country, and whose opinion upon a question of comparative anatomy, or any purely scientific matter, would justly carry with it great weight. But, fortunately, upon that subject they had got the scientific opinion of the whole of England, and it was opposed to that of Professor Owen. Every one of the scientific men examined before the Committee of 1860 declared that the establishment of an enormous Natural History Museum, such as was proposed by Professor Owen, would not only be detrimental to the interests of science, but would rather injure than promote the instruction and recreation of the labouring classes. Among the men who joined in that declaration were Sir Roderic Murchison, Dr. Goold, one of the best ornithologists in this or any other country, Mr. Bell, President of the Linnæan Society, Professor Huxley, and, last but not least, Sir Benjamin Brodie. Sir Benjamin Brodie thought that natural history might be represented in a much smaller space than professor Owen proposed, and he said more than once that there was nothing he dreaded so much as that the nation should be induced to listen to inordinate demands for great space for scientific purposes, because he believed them to be unjust to the taxpayer, and calculated in the end to bring public disfavour upon science and scientific men. But not only did the great authorities he had quoted declare that a small additional space to the British Museum would be amply sufficient for its requirements; every gentleman connected with the Natural History department, including Professor Maskelyne, Dr. Gray, and Mr. Waterhouse, had expressed precisely the same opinion. One and all thought that large purchases of land would be prejudicial to science and a gigantic bore to the public at large. Last year the House decided, by a majority of 169 to 71, to accept these authorities as conclusive against the proposal of the Chancellor of the Exchequer, to construct a Natural History Museum at a cost of £700,000. The proposition now before them was an old friend under a new form. The outlay, however, was not to exceed £500,000, instead of £700,000, and for that sum the Government were going to give this city of refuge for all the houseless and destitute collections and institutions in the metropolis. In addition to Natural History collections, said the noble Lord, this building shall house the patent models of the country. He was aware that the patents were at that moment at Kensington, but there was a fund, or ought to be, of £130,000 available for the construction of a Patent Office and Museum. Where ought that Patent Museum to be? He put it to the common sense of the Committee whether it ought not to be along with the specifications in which the patents were described, and these specifications were in the Patent Office. Such, at all events, was the opinion of every one acquainted practically with the business. He did not suppose, however, that the Government intended to remove the Patent Office from Chancery Lane to Kensington. The Patent Office was in Chancery Lane, in the centre of the legal district, just where it ought to be. The common-sense view of the case was to do what was so repeatedly demanded, for which there ought to be ample funds—namely, to build a Patent Office, and with it a Patent Museum in that quarter of the town, where suitors would obtain ready access and investigation. Although the magnetism of Kensington was great, he hardly thought it could attract to it the Patent Office; but since the proposal was made to set up the Patent Museum at Kensington, he should not be surprised at anything. Again, he understood it was the intention of the Government to transfer the Geological Museum to Kensington, which would alone induce him to give their proposal his most strenuous opposition. The Museum of Geology in Jermyn Street was one of the few public buildings that were thoroughly adapted to the purpose for which they were intended. It was built only eighteen years ago at an enormous cost. He had been told that more room was wanted, but he believed that the museum would find ample accommodation if the house next to it, which belonged to the Government, could be appropriated to the staff of officers. He also objected to the removal of the National Portrait Gallery to Kensington. All the authorities concurred in thinking that their picture collections should be kept together. It would be a breach of faith to separate the Portrait Gallery from the National Gallery, as the Legislature had sanctioned the institution of the Portrait Gallery distinctly in connection with the National Gallery. There was space enough at Burlington House to hold all the national pictures and the drawings of the great masters now in the British Museum, and he hoped that something would soon be done in that direction. In the whole Government scheme there was a great want of sequence.

Everybody had been complaining of the system of jumbling together works of nature and works of art, and yet the Government proposed to do what they themselves had so much deprecated—namely, to bring together every kind of incongruity—pictures, and patents, and whales, and megatheriums, and portraits—what the late Colonel Sibthorp, in his expressive language, called an "omnium gatherum pie."

Having said thus much, he should next proceed to advert to the marvellous bargain which the noble Lord seemed to think he was about to make. Before doing so, however, he would ask why it was that the Commissioners were going to give the public so extraordinary a bargain; why they did not sell the ground for the full value, and invest the proceeds in the manner in which they were intended to be invested—for the promotion of science and art? If they did not choose to do that, why, he should like to know, did they not hand over gratis to the Government the whole of the ground at once? That was a question which required an answer. There were stories of a somewhat strange character afloat on the subject. He had heard it said that the Commissioners could not act in the manner he had just suggested, and that they were obliged to adopt a middle course. But why was that so? He had been told that they had embarked the money—which he called the public money, because, though not voted by Parliament, it had been obtained for public purposes—in a private undertaking—the Horticultural Gardens. The reason, then, it appeared, why the public were to have so great a bargain was, that while the Commissioners wished to make over the property at their disposal to the Government, they at the same time were desirous of being recouped by the nation of the money which they had thus improperly expended. If he were wrong in the surmise which he had ventured in this matter, the right hon. Gentleman the Chancellor of the Exchequer would, he felt assured, correct him. But, be that as it might, the sum to be paid for the International Building was £364,000—£80,000 for the framework, and £284,000 for putting it in order. Now that, he should contend, was a perfectly enormous amount to pay for converting what was a mere makeshift into a permanent institution, because rubbish was, in his opinion, dear at any price. He would ask the Committee to listen to the view taken by a very eminent engineer, the editor of the Exhibition Journal, and who, he believed, was employed by Sir Charles Barry in connection with the Houses of Parliament. Mr. Mallet, the gentleman to whom he referred, declared that the building was unfit, by any amount of outlay short of reconstruction, to become the depository of a national collection of any sort. Again, a writer in *The Mechanic's Journal*, in the spring of the year, said—

> "Those who saw the interior of the nave during the foggy days, and considered the formation of the building, must have had this question forced upon their reflection—for what possible use or end could such a building be permanently employed in our climate?"

But the argument used on behalf of those who advocated the purchase of the building was that it was worth, or ought to be, £430,000; that the land was worth £280,000, and that thus the public were to have the wonderful bargain of getting £710,000 worth property for £200,000. Now, he would take a little familiar illustration from the occurrences of daily life, in order to exemplify the force of that argument. Let him suppose that he had a carriage of light and delicate materials, for which some years ago he gave £200, and that he said to a friend of his who was about to travel on the Continent, "Here is my carriage. It will just suit you while you are abroad. You can have it for £50; it is the greatest bargain in the world; it cost me four times that sum." But his friend might say, "I want something more substantial for my purpose;" and to that very fair remark he might reply, "Well, even so; if you put a new body to it, and new wheels, and new springs, you will find that the pole is in admirable order; to do that will cost you only £150." It would not, he thought, be at all surprising if his friend were, under those circumstances, to observe, "Well, if that be so, I think it would be better for me to have a new carriage altogether." Now, that illustration was, in his opinion, quite applicable to the bargain which the Government supposed they were about to make. The great point was to show whether it was or was not really a bargain, and whether it was or not worth the £364,000 it was proposed to lay out upon it. In dealing with that point he should, as he might find it to be his duty to make some remarks not complimentary to Captain Fowke, assure the Committee that he had the greatest respect for the talents and promise of that gentleman. The position in which Captain Fowke was placed should be borne in mind. He was called upon to cover a large space of ground; he had not the means of making the building a structure of architectural beauty, and no doubt he did the best he could under the circumstances. If, however, he should sink under the abuse which the perpetuation of that horrible building would entail upon him, it would not, at all events, be the fault of those who were opposed to the scheme of the Government. Now, he would, if the Committee would permit, read a letter which he had received, describing the condition of the building in question. The writer was Mr. Mallet, whom he had before named; who was very well known as an engineer, and after having heard whose statements the Committee would be in a somewhat better position to judge as to whether the estimate of Mr. Hunt was or was not likely to be exceeded. Mr. Mallet said—

"The true question as to present value and for the purpose proposed is this—How much of the existing building can be viewed as fit to remain, or can be in any way made use of. With the exception of the front picture galleries and parts of the external walls, I believe that ultimately all the rest would resolve themselves into so much old materials, the greater part of which would have to be disposed of as such, and be found of a character incapable of being again worked into the new structure fitted to receive collections, &c."

He then proceeded to say—

"The gross area (of floor) of the whole building (exclusive of the annexes or refreshment rooms or picture galleries) is about 692,000 square feet, and the picture galleries cover 70,000 square feet. The picture galleries are roofed, with a *quasi*-permanent roof of slate, &c. All the rest of the building is roofed either with glass, by far the largest proportion of which (all except the domes) is in common wooden bar sashes, the most miserably slip-slop make and material, or with common tarred felt, *i.e.* with the most inferior sort of tarpaulin stretched on wood. So that of the entire area of the building (without annexes or refreshment rooms) of about 17½ acres, 11 acres are covered with tarred felt, and nearly 5 acres with wood and glass. The result is that 16 acres out of 17½ are practically without any roof, and that of the picture galleries is not such as any architect would pronounce permanent, or fit for the reception of works of art or collections of any sort. The means of taking off the rain water were so badly devised, and the gutters of the great area of glass roofing so disproportionately small, that in every heavy rain they overflow. This evil is irremediable, except by the reconstruction of the whole of this roofing. The felt must all have permanent covering substituted for it. A very large proportion of the whole of this part of the roofing, more especially all that forming the extensive flats at the level of 50 feet above the floors, would require entire reconstruction. But, assuming that all the felt roofing were only covered with permanent slating and lead, the cost will be large. Passing to the floors—There is no sufficient or complete system of under drainage, no basement. The floors are open surfaces of boarding of only one inch thick, and of the very worst quality in material and laying. They rest on rough cross joints and beams, which again are stilted up upon slender brick piers and dwarf walls, bedded on a little concrete earth. Before the building could be fitted for any purpose, the whole floor must be removed, a thorough system of under drainage constructed, and upon proper foundations, a complete system of vaulting substituted for the present flimsy wooden surface, to preserve dryness in the building, and to enable it to be warmed in any way, and to give a foundation upon which collections can be based. Then, to make anything like a precise estimate, or even a very close guess, at the cost to be incurred in doing all this, and a vast deal more that I have not alluded to, and much that I cannot now foresee, in the absence of detailed designs, &c., is impossible. Something like an approximate guess, based on calculation, may, however, be made, and if kept on all points within a safe margin, may be relied upon. The following is such:—Vaulted basement system of drainage, and new flooring over 692,000 square feet, £231,000; roofing in a permanent manner eleven acres of felt-covered sheds, £90,000; reconstructing the whole of the glass roofing, except the domes, in a permanent manner, to keep out water, £43,000; reconstructing the two domes in a manner to be safe and permanently water-tight, probably £60,000; reconstructing the roof of the picture galleries so as to remain water-tight and keep out snow, £18,000; constructing of apparatus to heat and ventilate the building, probably £25,000; total, £467,000."

That came to the sum of £467,000. "Thus," he said—

"for a sum which in round numbers (and adding to the above a trifle of £23,000 for official fitments and alterations to make the building tenantable for any museum purpose) amounts to half a million, *plus* the £200,000 of purchase money, we should have the building just as it now stands, except that it would be as permanent a structure as it can ever become, in place of a sham, or mere booth. But now it is to be made use of; for this the walls, decorations, the doors, the ventilation, the ground glass skylight—everything, in fact, beyond the existing four walls of the picture galleries, will have to be done; and in the natural history part of the affair, the cases, the fixtures of all sorts, and division screens between classes. Will £100,000 more do this? I should think not."

In that Mr. Mallett was quite right, because the architect of the British Museum stated that, according to Professor Owen's plan, the sum required for glass cases alone would be £80,000.

"Suppose it then all done, what is the result? Every one knows, who saw the building in the winter, at the close of the Exhibition, that its structural defects as to lighting are such that everywhere (except in the glass-roofed courts) it

> was gloomy at all times, and twilight only after 2 o'clock p.m., while beneath the opaque floors of the galleries it was actual darkness. Is this the sort of place to display objects of natural history —many minute structures that can only be seen or understood in the finest and best-adjusted light? If, instead of such being the case, the building were suitable in the highest degree for museum purposes, it still labours under the disadvantage as a national museum building that structurally it is ricketty and unpermanent everywhere, as must every building constructed of iron, wood, and brick be—in which, as in this, no attention has been given to the effects of the unequal expansion and contraction by change of temperature. In this case, however, there are other and equally grave structural defects. The timber roof principals of the nave and transepts have such a tendency to spread, by want of rigidity in their curved timber ribs, that by their thrust they actually drove the iron columns eight or nine inches out of plumb, and were in danger of thrusting out the exterior brick walls while the building was in course of erection. This was remedied, then, by diagonal iron stay bars, introduced by the advice of Mr. Ordish, C.E., and upon these bars of iron the standing up at all of the building is now dependent. None of the roof principals, indeed very little of the timbers of the structure anywhere, were ever planed, they were put up rough from the saw, and their apparently smooth surfaces have been given by daubing over with distemper colour; hence they cannot ever be oil painted, and without such paint to keep dust away in London from any museum is impossible. Dust is the great evil of all London museums, even as best constructed. In this building, and especially in the much-vaunted picture galleries—the ventilation of which depends upon their sucking in dust from the Cromwell Road—the evil of dust would be found insufferable.”

As soon as Mr. Hunt's statement of the amount which would be required for “repairing, altering, and eventually completing the building” appeared, Mr. Mallett wrote him another letter, in which he said—

> “I am favoured with yours of yesterday with the so-called estimate. *Ex nihilo nihil fit*, or, as we may say, nothing can be made of an estimate in which nothing is given almost beyond the *ipse dixit* of Mr. Hunt. However, it does admit of some damaging criticism. Item No. 1, you will have remarked, professes to include only repairs and reinstatements. It does not embrace the vaulting, sewerage, and flooring; and as to any repairs or reinstatements making the building ‘thoroughly and permanently substantial,’ it is simply impossible by any process short of knocking it all down to make ‘permanently substantial,’ or even permanently weather-tight, a building so immense, a proportion of the exposed surfaces of which, in roofs, skylights, ventilation, louvres, and upright sashes, consists of woodwork of the most flimsy and wretched description, both in materials and workmanship.”

Passing over his criticism as to the domes, he continued—

> “You ask, why should not this building be heated and ventilated as is the Crystal Palace? There is no physical reason why it should not, but the expense of heating it and at the same time preserving such a continued change of warmed air as is essential to keep natural history collections safe and sound, would cost an enormously greater proportionate sum. In the tropical department at Sydenham, where alone the heating artificially is sensible, every care is taken not to ventilate or change the air at all, unless in the very hottest sunshine. At any rate I can say at once, from my experience, having for Government directed the heating and ventilation of all the Queen's Colleges and of the convict prisons and almost all the other public buildings, that £30,000 is utterly inadequate to heat and ventilate here; £90,000 would probably be nearer the real thing.”

With respect to item No. 4 he expressed himself very irreverently, saying—

> “We now come to item No. 4, and here we have caught them. The floor area of the picture galleries is in or about 70,000 square feet, which, at £15,000 for fire-proofing the whole, gives about 4*s*. 3*d*. per foot super. This would scarcely suffice to lay 4-inch brick arches on cast iron beams for a common cotton mill in Lancashire, without any flooring over them to walk on at all; and here there must be fine flooring, a fine ceiling underneath, if the lower story is to be used for any thing, provision for heating and ventilating pipes and flues, and the greatest requirement as to strength known to engineering; it being well known that a densely-crowded floor of people is the heaviest living load.”

Of the next item he said—

> “Item 5 is mere bosh” (*vulgo et vehementer*); adding, “another nought might make it look more probable. There are 32 panels above the windows, 20 ft. by 15 ft., or thereabouts, to fill with mosaic wall-pictures. Each of these will surely cost £5 the foot super, or £1,500 per panel; that alone is £48,000, without the terra cottas on the pilasters or anything else, and this only deals with the Cromwell Road front; the two wings would cost more than the front. These hints may, perhaps, be of some use. It is a sickening mass of falsehood and jobbery.”

The sum and substance of what he had said was, that the Committee was, for the sake of what was said to be a cheap bargain, asked to involve themselves in a most useless and reprehensible expenditure. They were asked to purchase the shell without knowing what might be the cost of putting it into order, or what would be the annual estimate for the maintenance of this enormous building. He objected to the proposal, also, because it was a preparation for that drawing into one focus all the different institutions of the country against which the House of Commons had more than once protested. Not only that. He did not wish to see all the institutions of the country fall into the grasp of that craving, meddling, flattering, toadying, self-seeking clique that had established itself at Kensington; that had been doing a good business there, and now wanted to extend its operations. It would have been much better for those gentlemen to have kept themselves quiet. It would have been better for them not to have been pushing themselves perpetually forward, not to have been making these perpetual requisitions, but to have said with thankfulness—

> "Satis supèrque *nos* benignitas tua
> Ditavit."

Public opinion was beginning to get raw and sore upon the subject. There appeared on the previous day in one of the periodicals a notice of those people and their doings which he believed fully expressed the opinion of the public. It said—

> "The building itself is far from popular; but the people connected with it are more unpopular still. If it should happen that the Chancellor of the Exchequer and Mr. Disraeli—who are at one on this question—should suffer defeat, and not be able to bring up their respective contingents to the rescue, we believe it will be owing more than anything else to the increasing dislike and jealousy of the public and of the representatives of the people to the parasites who have fastened themselves upon so many of the institutions which have already gathered about the great Kensington estate, or who are expectants of the new 'kingdom come' to be established there. Already the class of 'managers' is well known for exclusiveness, class combinations, servility, and extravagance. There are the Council of the Horticultural Society, the Council of the Society of Arts, and the 'managers' of the 'Great Exhibition.' They not only play into each other's hands, but they are for the most part composed of the very same well known persons. They are either hunters after honours or Court favour, or they are small clerks, who have promoted themselves into commissioners, councillors, or dispensers of honours in science and art. We believe that the Chancellor of the Exchequer would not have the least difficulty in getting any sum required for the great public purposes of the institutions to be located at South Kensington, if he could show any chance of being able to keep down the abuses which are all but too well known. These small people are neither artists nor men of science. They are unknown to literature. They are ever ready and at hand to patronize all undertakings, and to vote one another into the management of every rising institution. There is no doubt that much of the unpopularity of South Kensington is owing to this class of men."

If the House of Commons were willing to purchase the land, all he could say was, let the Government come down next year with a well-prepared plan for a Natural History Musuem of moderate size; let them bring down the plans and specifications, so that the House might know what they were dealing with. If accommodation were required for the national pictures, that subject must be dealt with sooner or later, and then let all the scattered collections be provided for. If a Patent Office were needed, they had, or ought to have, £130,000 available. But he implored the Committee not to consent to the purchase of that building at South Kensington, for by doing so hon. Members would be entailing upon themselves perpetual mortifications, vexations, and disgrace. If hon. Members wanted to become acquainted with the effect of three-quarters of a mile of stucco, let them walk down Motcomb Street and look at the Pantechnicon, and say whether it was possible for imagination to suggest anything more horrible. By complying with the proposal now made to it, the Committee would not only involve itself in an experiment of which it was impossible to count the cost, but it would put the coping stone, the pinnacle, and crowning act to that artistic and architectural degradation for which he regretted to say England was too notorious. He begged to move the rejection of the Vote now asked for.

THE CHANCELLOR OF THE EXCHEQUER (who rose after a pause) said: I did not rise to address the Committee, presuming from what he had written, and also from what I had heard otherwise, that my noble Friend (Lord Elcho) was about to propose the Motion of which he has given notice. But, in point of fact, I suppose that the form in which it is now proposed to take the Vote substantially meets his view. It does not appear to be desired that there should be a general debate before going to a division; but it is necessary that I should reply to some of the remarks of my hon. Friend who has just addressed the Committee. I cannot help regretting the extreme vehemence of the language which my hon. Friend thought fit to apply to persons out of this House. [Mr. GREGORY said the terms alluded to were in the letter.] Exactly so; but it is to be presumed, that when letters are read in this House by my hon. Friend, the statements which they contain are adopted by him, and he becomes responsible for their language. When he speaks of these proceedings as a combination of fraud and jobbery —[Mr. GREGORY: Falsehood and jobbery.] I am sorry I misrepresented my hon. Friend. But he must either attribute proceedings so reprehensible to Her Majesty's Government, or else to the professional gentlemen who were consulted. If the words he used were intended as applicable to Her Majesty's Government, I am the last man in this House to complain. [Several hon. MEMBERS: Not to the Government.] Then I can only say that such remarks applied to Gentlemen like Mr. Hunt, whose standing in their profession, whose reputation and immense professional practice are far stronger testimony to their ability and character than the trifling remuneration which they receive from the Government for the services they render—language of that kind on the part of my hon. Friend is a very great error, and one which I trust he will not repeat again. I appeal to the House of Commons to protect gentlemen of this class in the public service, who have no opportunity of defending themselves, from these violent, indiscriminating, and very discourteous attacks. I will not trouble the Committee with any more quotations from the speech of my hon. Friend, though I might have multiplied them very considerably; but I proceed to answer some of his most signal exaggerations.

The hon. Member says we adopted, in all its enormity, the design of Professor Owen, which he first described as a scheme for roofing over eleven acres of land; and he added that I proposed a scheme to the House last year which, if carried into execution, would have entailed an expenditure of £700,000. I made no such proposal. The proposal which the Government made was to purchase five acres of land at a cost of about £50,000; and I think I stated that the very maximum which, under any circumstances, the cost of building upon that land in the manner proposed could reach was £400,000 or £450,000. The effect of that statement, I have reason to believe, was most injurious to the proposition; and, on another occasion, when it was contemplated to build courts of justice, the course taken by the Treasury, I am afraid, was likewise detrimental to the plan. Out of a feeling of honour and fidelity towards the House of Commons, and from no other motive whatever, the Treasury placed before the House on each occasion the very maximum which, upon the largest estimate, the charge could possibly amount to. But how have the Government been met? Although they feel the utmost confidence that the charge will be materially less than what they have stated, they were met by my hon. Friend and others with the suspicion that they are putting foward a scarcely honest, and at any rate most superficial and careless statement to the House—a statement merely of the sum called for in the first instance—and that the House must be prepared subsequently to have that amount doubled or trebled. [Mr. BERNAL OSBORNE: Hear, hear!] I appeal to the hon. Member for Liskeard, who cheers, to say what the Government are to do. Either we must ascertain the amount that will probably be required, making the largest allowance for every demand that is likely to be incurred, and then state that amount frankly to the House; or we must fall back on the system of loose estimates, generally very much within the expenditure that has to be incurred. But if estimates framed from the best data at the command of the Government, and resting upon evidence which experience shows we can rely on, are to be treated as merely superficial statements, and are immediately multiplied by two or three, such a course of proceeding on the part of the House of Commons can end in nothing but a practical stoppage of all plans for supplying buildings worthy of the country, and adequate to its requirements. My hon. Friend went on to say that £130,000 were applicable to the building of a Patent Office. I hope my hon. Friend guarantees the existence of that fund; but I am humbly under the impression that no such fund exists, and that there is not a shilling applicable to a Patent Museum. My hon. Friend has confounded two distinct things, a Patent Office and a Patent Museum. If such a fund did exist, of course it would go towards the change we are now making; but, in point of fact, no such fund exists. It is quite true, there is a revenue arising from patents, and therefore there is a moral obligation to provide an adequate museum in return for the revenue. It would be fair for the Government to say, "Although we are asking you to incur an expenditure of several hundred thousand pounds, you must not consider it as an expenditure out of the public purse so far as the £200,000 are concerned; that sum, which is the smallest we should require to find a Patent Office elsewhere, you cannot consider as your own; but, as the proceeds of the revenue from patents, which you are bound to return when the interest of the patentees or of the system require it." This deduction we are entitled to make from the charge; we are not asking for an outlay the Committee is free to refuse, inasmuch as what is necessary must in propriety and honour be found. No decision, however, has been taken to place the Patent Office at South Kensington; the question is not determined, and therefore no such scheme as the transfer suggested is involved in the proposition of my hon. Friend. At the same time, if it should be found that the interests of the patentees will be better served by a different arrangement, we may feel ourselves bound to consult those interests. The Patent Museum is at South Kensington already; the only difference is that it encroaches on space meant for other purposes, and, instead of its being an exhibition of patents, things are heaped together in a way which prevents their being seen, and constitutes a scandal to the country. This scandal it would be one of the objects of the present Vote to remove, but the speech of my hon. Friend who has just sat down I think rather tends to perpetuate it.

He asks whether we have decided to transfer the Geological Museum to South Kensington. His divining power being so great, I wonder that he puts the question to us, who, with our limited sources of knowledge, can know so much less than he does of our own intentions. Perhaps it was the same authentic source which furnished him with information regarding the fund of £130,000, from which he received the assurance that it had been determined to transfer the Geological Museum to South Kensington. The question of transferring the Geological Museum, or of enlarging it, has never yet been submitted to the Treasury or the Cabinet; I therefore think I am perfectly safe in saying, that up to the present they have had no opportunity of knowing that such a step was in contemplation. The Museum, however, is constantly accumulating treasures; and if my hon. Friend asks me whether, in the interests of economy and convenience, I think that the Geological Museum ought to be widened by throwing in Piccadilly and Jermyn Street frontages to double or perhaps treble its present width, I reply that such a proposal requires consideration. [*Cheers.*] I understand from the tone of that cheer that hon. Members think the interests of economy would be promoted by such an enlargement. Either those cheers have no meaning at all, or they mean that. My hon. Friend asks why the Commissioners of 1851 have made this offer, and he places them in this dilemma—he says they ought either to sell this land and apply the proceeds for the promotion of science and art, or else they ought to make over to the Government the entire estate they possess. I will show pretty good reasons why the Committee should not take either course. The hon. Gentleman said, that they should sell the land to the Government, or to other parties, and apply the proceeds——

MR. GREGORY: To the Government.

THE CHANCELLOR OF THE EXCHEQUER: That is what it is proposed to do.

MR. GREGORY: I said that the land might be sold at its full value to the Government, and the sum paid for it applied by the Commissioners to the promotion of science and art; or else they might give the land to the Government, to be applied by it to the purposes of science and art.

THE CHANCELLOR OF THE EXCHEQUER: I thought I understood the speech of my hon. Friend, but now I find I do not understand it at all. It is very obvious, that if he restricts his observations to the land, the reason why the Commissioners cannot give it to the Government is that it is mortgaged for the purposes of the Commissioners. That is a conclusive reason why they cannot give it to the Government. He thinks, that if the Commissioners of 1851 sold this land to other parties, they would obtain a sum of £250,000, which they could invest. I say that they are making a better bargain. If they pass this land to the Government for £120,000, they will obtain the outlay of half a million for science and art. That is, I think, a fair reason for the course which has been taken by the Commissioners of 1851.

My hon. Friend has quoted largely from the letters of Mr. Mallett, and has invited our attention to a multitude of technical and professional questions. He has thought himself justified in reading from letters some passages, containing what I cannot otherwise describe than as gross and virulent personal abuse of Mr. Hunt. Now, Mr. Hunt is a responsible officer of the Government. He is more. Besides being employed as a consulting surveyor by the Government, he enjoys a large and lucrative private practice of tenfold greater value. He is therefore in a position in which we have every guarantee for the fidelity and integrity of his proceedings. We are consequently disposed to trust Mr. Hunt, and I will assert that the letters which my hon. Friend has read do not overthrow the result of the careful and protracted inquiry made by a gentleman of known ability and character, and who is responsible for his calculation. Nor am I disposed to take in lieu of Mr. Hunt's conclusion those of a gentleman who may be a very clever person, but of whom officially we have no cognizance, and for whose opinion it would be absurd for Parliament to make itself responsible. My hon. Friend asks, why we did not bring specifications. Why, we cannot bring specifications without presuming to foreclose every question as to the mode in which this building is to be employed. We must have employed an architect, we must have called for designs, and are we to do that before Parliament has voted the money for the purchase of the building? The question before us is, whether the House of Commons shall or shall not take the site offered it by the Commissioners of 1851; and my hon. Friend says, that before the House allows the Government to purchase the site, we ought to lay before the House a specification in minute detail of the mode in which the whole of these seventeen acres are to to be disposed of, and of everything to be erected on this site. I wish my hon. Friend had told us how long a time Mr. Mallett spent in examining this building. He is, I believe, a civil engineer. Mr. Hunt has been paid for his estimate, and he has, in consequence, given a responsible opinion. My hon. Friend has not told us whether Mr. Mallett has been paid for his estimate, or whether an examination of a day or a couple of days may not have been the basis of this statement.

My hon. Friend says that by this proposed purchase of land at South Kensington we are robbing the poor for the benefit of the rich—that the British Museum is the site to which all have the easiest access, and that at Kensington there is no corresponding facility of access. But he must bear in mind that a fundamental change is about to be made in the facility of communication between one point of London and another. That which was last year an unsolved problem is now solved, and railway arrangements for transporting the public from one point of the metropolis to another are proved to be practically, easy, and lucrative. In the course of a year or two, therefore, we may expect that a ring of railways will be completed, which will include the line of South Kensington and pass close by the estate of the Commissioners. I venture to lay down this proposition — that, so soon as these railways are made, the facilities of communication from the most distant points of these lines will be far greater than to any point, however central, that may be off the line. Whatever, therefore, may be at present the relative advantages of the British Museum and South Kensington, those relative advantages are about to be enormously changed in favour of South Kensington.

My hon. Friend says that no visitors go to South Kensington. ["No, no!"] What, then, does he mean by saying that we are going to rob the masses for the benefit of the rich? Does he not mean that we are going to rob the many for the benefit of the few? Now, let the Committee examine this subject. The British Museum has the advantage of containing a collection which has been in process of accumulation for a hundred years. The Museum at South Kensington, on the contrary, is the child of yesterday, and depends upon the liberality of Parliament. It has only been in existence ten years, for it was, I think, in 1853 that I proposed the first Vote for it. Now, let my hon. Friend listen to these figures. The visitors to the British Museum in 1862, exclusive of students and readers, were 895,000. The number of visitors to the South Kensington Museum in the same year was 1,241,000. [*Cries of* "That was the Exhibition year."] Well, have I not quoted the same year for both? [*Cries of* "Oh!" *and* "The Loan Collection!"] It is disadvantageous to go back, because South Kensington is a rapidly growing institution. Last year was, I admit, the year of the Loan Exhibition of Fine Arts, and I will therefore quote the figures of 1861. In 1861, the visitors at South Kensington were 604,000; the British Museum had 641,000 visitors. [An hon. Member: South Kensington was open both morning and evening.] Only one-third were evening visitors, and more than two-thirds visited South Kensington in the morning.

Now, my hon. Friend again says that this is a question of economy, and that some very slight extension of the British Museum is all that is required. Again I say, my hon. Friend gives his irresponsible opinion against the opinion of those whose duty it has been in the present or the last Government to make a responsible examination of the question. He says, "We are going to adopt the monstrous scheme of Professor Owen." I have a very different opinion of Professor Owen from that of my hon. Friend; but I say we are not going to adopt his scheme. The position of my noble Friend has been, that take this plan as you will, there is a saving of £300,000 or £400,000. And when we say that, let it be borne in mind that we are not charging my hon. Friend, or those who follow his lead, with the responsibility of finding elsewhere that proportion of land proposed by Professor Owen. We have not spoken of five acres, but of three acres. [Mr. GREGORY: Hear, hear!] Am I to understand from my hon. Friend that he thinks a space of three acres an irrational or monstrous space for the accommodation of the Natural History collections? [Mr. GREGORY: No.] But if he does not say that, the ground is completely cut from under his feet. When my noble Friend says we are going to provide for £500,000 what elsewhere would cost £1,000,000, we proceed on the supposition that only three acres would be required, according to the plan of my hon. Friend. But we have got an illustration of what is required for the Natural History collection. I draw it from the State of Massachusetts, and I think that England and London may be allowed as liberal a space as Massachusetts. In the University of Cambridge, near Boston, they have provided five acres of land for the purposes of a natural history collection. They have not built as yet upon the entire five acres, but have raised a structure of three stories upon two acres, which is exactly equivalent, in point of accommodation, to the proposal of Her Majesty's Government—one of two stories upon three acres. That institution in Massachusetts has been open only a few years. And I will now read a few words from Professor Agassiz, a name rather better known to fame than that quoted by my hon. Friend. Professor Agassiz, in a recent letter, writes—"Our new building is overflowing. It will be necessary for us to extend our structure within the next two years in order not to check our progress." Under those circumstances, are we to buy near the British Museum those five acres, to begin by invoking the Goddess of Economy to lay out £250,000 for the site, then £250,000 more for the buildings? and then, in consequence of the narrow approach to the Museum from Holborn, we must open a new street. And all this is for the purposes of economy.

The Chancellor of the Exchequer

Sir, the wants of the public have been stated by my noble Friend; but before I sit down, I would wish to touch on one or two points. It is said our estimates are fallacious; but if so, I must say they have been made with a much greater anxiety to reach the maximum cost than the estimates which we have charged on the other side of the account. When we have said that elsewhere you can build a Patent Museum for £100,000, and a National Portrait Gallery for £25,000, I believe those estimates are very low indeed. How moderate is £25,000 or £30,000 an acre for land in the middle of London. With the figures that have been quoted, it is more probable you would have to pay double that sum. But we have been anxious to understand this case, to put down against our own plan the maximum of the public charge, and to speak with moderation in regard to the other plans. But after proceeding upon that principle, my noble Friend has shown, that if you are to act upon responsible and not irresponsible judgments, you will have a saving of £300,000 or £400,000 at the first outlay, and a much larger saving ultimately. I do not wish to detain the Committee by entering into particulars, but only to give them satisfactory and adequate explanation; and I take my stand upon the responsible judgments of those whom we consult. My hon. Friend has probably forgotten that there is a document in existence signed by two gentlemen of reputation, Mr. Baker, civil engineer, and Mr. W. Fairbairn, civil engineer, speaking in satisfactory terms of the solidity of the building as it was constructed for the purposes of the last year. I fully admit that the testimony of those gentlemen does not apply to every portion of the building, as, for example, to the state of the flooring as regards permanence, or to the state of the roof. But with respect to the walls the effect of the document is, that the building has been subjected to the severest tests, and has proved on all points to be more than equal to any trial it could be called upon to bear.

With regard to the scheme of taking the land without the building, I hope the position of the Government is understood. It is absolutely our duty to take the judgment of the Committee upon the question whether they will give £80,000 for the building at South Kensington, and we shall do our best to show that that arrangement is a wise and profitable one for the public. But that is not the question that is now before the Committee. That question has been entirely blinked and evaded by the hon. Member. My hon. Friend has not said one word upon that question, and I am using the strongest language that I can when I say my hon. Friend has entirely blinked and evaded the practical question, whether it is necessary, in the interests of the public, to endeavour to obtain those seventeen acres of land. My hon. Friend has, I think, by his silence admitted that three acres are wanted for the Natural Histoy collection. I have shown that for Massachusetts a considerably larger space has been given. If we wanted five acres, I wish to know where they are to be had. They cannot be had in London at an expense of less than £50,000 an acre; that would be an expense of £250,000 before anything was built. Then for the Patent Museum three acres is a moderate allowance. What do they think of that matter in America? The Patent Museum of Washington covers, I believe, eleven acres of ground; and I think we are making a moderate proposal when we take for the Patent Museum of this country a space equal to about one-fourth of what is devoted to it in America. Now, I have got eight acres, and we are to provide yet for the National Portrait Gallery and other purposes in connection with the South Kensington Museum. But let me take my stand upon those two purposes only, and where are we to get the eight acres that we want? My hon. Friend, a worshipper of economy, is prepared to pay elsewhere £400,000 for eight acres, when we are now enabled to purchase twice that number, with certain buildings upon it, for half the money. Which will the Committee prefer to do? That is the issue upon which they are called upon to decide, and I do not think my hon. Friend's professions of economy, however sincere and ardent, will convince the Committee that it is an economical course to refuse to purchase land at £6,000 an acre, and in preference to pay £40,000 or £50,000, or even a still larger sum. That is the question with which the Committee has now to deal, and I trust every hon. Gentleman will bear in mind the real responsibility attaching to this proceeding, for his responsibility is very heavy. For a long time it has been observed, and observed with rare unanimity, that every possible evil of vacillation, uncertainty, delay, expense, and many others that I need not now repeat, attend our method of management of those great questions of public works. Does the Committee think that that system will be amended by statements made in a very highly-coloured if not an exaggerated tone by my hon. Friend, by unmeasured denunciations of men of great authority employed by the Government to examine those questions, by ruthless assaults upon the performances of architects, and, I may say, by total misapprehension of the peculiar merits of the case? The House of Commons can reject any of these proposals if they think fit, and, in doing so, would be acting strictly within their right and province; but the advisers of the Crown, after long considering what would be best to propose to the House for the purpose of meeting the urgent necessities of the country, and likewise of providing for future wants, are of opinion that the best and by far the cheapest mode of proceeding is to acquire the land at Kensington; for they are not aware in what other way the Government could proceed, unless they were prepared to propose those extravagant and enormous grants which, under the name of economy, my hon. Friend the Member for Galway, seems to admire.

Sir JOHN PAKINGTON said, that he would not detain the Committee for more than a few minutes; but he was sure that they did not wish to come to a vote under any feeling of momentary excitement, or under any misapprehension of the real nature of the question on which they had to decide. They were called upon to vote a sum for the purchase of land and certain buildings. But they ought clearly to understand that those buildings did not include the Exhibition building, and that the Vote was substantially for the land alone. He regretted that the hon. Member for Galway (Mr. Gregory) had made himself a medium for bringing before the Committee the attack made by Mr. Mallett upon other professional men; but he believed that the statements of the hon. Gentleman with respect to the Exhibition building would require a more effective answer than they had yet received from the Government, before Parliament would consent to purchase that building. He felt convinced, however, at the same time, that the Government would have been wanting in their duty, at a time when accommodation was so much required for the various collections of art, if they had not asked the House of Commons to grant the sum required for the purchase of the land at Kensington. Even as an investment, the Government would have done well to buy the land.

THE CHANCELLOR OF THE EXCHEQUER said, that in reference to the statements of the right hon. Baronet, he wished to explain that there were certain buildings, the property of the Commissioners, and not of the contractor, which the Commissioners joined with the land in making their offer to the Government. Those buildings were of a very unpretending character looking towards the Horticultural Gardens, and had been used as refreshment rooms; but the best way was for the Committee to consider these buildings as non-existent, and that the whole price was charged for the land, which would then be purchased at a very cheap rate.

MR. AYRTON said, in reference to the statement that buying the land would be a good investment, he understood that it was not proposed to buy the land pure and simple, but for the express purpose of devoting it to science and art.

THE CHANCELLOR OF THE EXCHEQUER observed, that the Government were not to be allowed to buy the land for £120,000 for the purpose of selling it next day in the market. The land would be purchased, subject to the condition that it should be permanently appropriated, as Parliament might think fit, for purposes connected with science and art.

LORD ELCHO said, that so much depended on the Vote that it ought not to be lightly dealt with. He wished, therefore, to earnestly recommend the Committee to consider the circumstances under which they were to come to a vote upon that occasion. They had for many years been suffering in this country from a chronic congestion of the departments of science and art. He feared that many hon. Members conceived that they were about to give their votes upon the whole scheme, whereas the Committee were simply asked to decide whether they would not acquire the land at Kensington. He hoped they would not hastily resolve on rejecting that proposal. He should therefore move that the Chairman report progress.

VISCOUNT PALMERSTON: We should make progress before we report it. The Committee seems to have made up their minds, and I trust they will not agree to the Amendment. If a division be taken upon it, I hope it will be considered to be a division on the proposition before the Committee. When we come to the next Vote, the Committee shall, if they wish, have further time to consider it; but I hope hon. Members will come to a decision on the first Vote.

MR. BERNAL OSBORNE: I am aware that at this hour it would require the tongue of Demosthenes and the ability of the noble Lord to detain the House; but I beg leave to say that this is a very grave question, not to be despatched in an indecent manner. If there has been any confusion, it has arisen entirely from the speech of the noble Lord, because he mixed up the site and the large shed together, and consequently it became impossible for hon. Gentlemen to discuss the one without alluding to the other. I was particularly struck by the speech of the right hon. Gentleman the Chancellor of the Exchequer, who, not following the example of his noble leader, completely gave the go-by to Captain Fowke's enormities. If there has been any reproach cast upon Mr. Hunt, which I deny, remember the unsatisfactory nature of the plans and estimates presented to the House. Was ever a great scheme brought forward in so slovenly a manner? Was ever an estimate submitted to Parliament in a condition more deserving of reprobation? When the Chancellor of the Exchequer talks about the estimate not being exceeded, let us remember the building in which we are assembled. We were told that £745,000 would complete the Houses of Parliament; the cost at this day amounts to over £3,000,000, and even yet they are not finished. Let that for ever be a warning to us not hastily to adopt imperfect estimates. With respect to the present Vote, I deny the necessity for it. Something has been said of chronic congestion. That chronic congestion, if it exists, has been produced by the Government, who have been continually forcing this House to remove all the collections to Kensington. Nothing has been done with Burlington House, for which a large sum was paid, and yet we are now asked to vote £120,000 for a scheme of which we know nothing. The Patent Museum, for example, has made its appearance to-night for the first time. I have no doubt the encouragement of art and science is a very nice thing for those gentlemen who make fine incomes by it, but it may cost the public too much to be pleasant. One might apply to art the apostrophe which was once addressed to Liberty,—"O Art, what atrocities have been committed in thy name!"

SIR HENRY WILLOUGHBY said, he merely wished to ask a question upon a matter of form. The estimate was one for an entire sum, and he did not understand why the Vote should be broken up. He wished to ask whether it was not proper that the whole sum of £484,000 should be asked for at once, and then that the Committee should proceed to the various items in detail, rather than that they should be asked to vote on a single Vote of £67,000, in which they thought they might be successful.

THE CHAIRMAN: The proposal of the Government is to move the different items which constitute the estimate in separate Resolutions. There is no irregularity in point of form in that proceeding.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Lord Elcho,*)—put, and *negatived.*

Original Question put.

The Committee *divided:*—Ayes 267; Noes 135: Majority 132.

Vote *agreed to;* as was also—

(2.) £805, Salary and Expenses of the Commissioners of Education in Ireland.

VISCOUNT PALMERSTON said, that he did not, in accordance with what he had already stated, intend to press the Committee to come to a decision on the Resolutions next in order that evening. He should therefore postpone them until Thursday week.

MR. MALINS said, he apprehended the Committee was quite unprepared for the course proposed by the noble Lord. If the noble Lord did not like the temper of the Committee, possibly he did well in not going on with the Resolutions; but he was quite sure the Committee would be aware that the postponement of the Resolutions was agreed to for the accommodation of the Government only, and not of the Committee.

MR. BERNAL OSBORNE said, he must emphatically protest against the hon. and learned Gentleman taking it upon himself to speak on behalf of the Committee. He understood that the Vote next in order should be postponed, and hoped that course would be taken.

(3.) Motion made, and Question proposed,

"That a sum, not exceeding £3,500, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for the University of London."

MR. AUGUSTUS SMITH said, he wished to ask why the Vote for the British Museum had been postponed?

MR. WALPOLE stated, that he had consented to postpone the Vote for the British Museum to meet the convenience of the hon. Member for the Tower Hamlets, who had given notice of a Motion on the subject. He proposed to fix it for Thursday week.

MR. O'REILLY said, he rose to protest against a Vote being put, as that in reference to Irish education had just been, while the noise was so great that nobody could know what was being done. He had been prevented from speaking on the Vote, because he could not make himself heard by the Chairman.

MR. MASSEY said, the Vote related only to the staff in connection with education in Ireland. The Committee was, he thought, perfectly aware of what was taking place.

MR. AUGUSTUS SMITH said, that he had not heard a word of what was going on, owing to the rush of hon. Members leaving the House. He thought that important Votes should not be put at such times.

MR. LEFROY said, he was not prepared for the Vote for National Education in Ireland coming on that night.

MR. HENNESSY said, the Vote which had just been passed was £805 for the Secretary of the Commissioners of Education in Ireland. That Vote, he believed, had never been challenged. He had certainly heard the Chairman put that Vote, and thought that both sides of the House had also heard it.

MR. BUTT said, the important Vote for National Education in Ireland was Vote No. 3, which, it appeared, had been postponed.

THE CHAIRMAN said, there seemed to be some misunderstanding. The only Vote put from the Chair since the decision of the Committee, with regard to the purchase of land, was £805, the salary of the Secretary of the National Education Commissioners. The question then before the Committee was that £3,500 be granted for the University of London.

Sir ROBERT PEEL said, that the large Vote for Education in Ireland had been postponed, because it was thought that it would not be fair to bring it on in a hurry, and without ample notice.

Mr. BUTT asked, whether it would come on the next Supply night?

Sir ROBERT PEEL said, that Thursday night was appropriated to the Public Works (Factory Districts) Bill, and the following Monday would be given up to the hon. Member for the King's County for the discussion on the affairs of Poland. They proposed, however, to take the Vote for public Education in Ireland on the first Supply night

Mr. O'REILLY asked, whether the right hon. Baronet intended that that Vote should be taken on the first Supply night after next Monday?

Mr. AUGUSTUS SMITH said, he wished to ask for some explanation of the charge in this Vote for six scholarships in art and science, which appeared this year for the first time.

Mr. PEEL said, that all the scholarships were sanctioned four or five years ago, but had not all become tenable yet. The total amount paid for scholarships was £2,202; only about £150 more would become chargeable.

Mr. AUGUSTUS SMITH moved its reduction by £500.

Motion made, and Question,

"That a sum, not exceeding £3,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for the University of London,"—(*Mr. Augustus Smith,*)

—put, and *negatived.*

Original Question put, and *agreed to;* as was also the next Vote—

(4.) £13,905, to complete the sum for the Scottish Universities.

(5.) £1,296, Queen's University in Ireland.

Mr. SCULLY suggested that the Vote be postponed. Many hon. Members not then in the House were anxious to discuss the subject, and the Vote could conveniently be taken at the same time as that for national education.

Sir ROBERT PEEL said, he thought there was no good reason for delay. The Vote had been discussed on many previous occasions, and had always received the sanction of Parliament.

The Chairman

Mr. DAWSON said, the education afforded in the Queen's University reflected credit on the country. If there were any delay in assenting to the Vote, the object the House had in view would be misinterpreted.

Mr. SCULLY said, he had no objection to the principle of mixed education, provided it were carried out in a *bonâ fide* spirit; but in Ireland the religious element was introduced under cover of secular education. If the principle were good for anything, why not apply it to this country? In England, on the contrary, all the great schools—Eton, Harrow, and Rugby—were conducted by clergymen; nor would a Roman Catholic be admitted to any of the great colleges at Oxford. He knew both countries well, having lived as much in England as in Ireland—that was to say, during the rational part of his life—and he had no hesitation in asserting that mixed education in Ireland, to a great extent, meant proselytizing He could not understand the course pursued by the noble Lord at the head of the Government. The noble Lord, against his own conviction, had, on a recent occasion, supported bigotry in Scotland because it was in the majority. Now, if the noble Lord yielded to the majority in Scotland, why did he not act in the same manner with respect to the majority in Ireland?

The O'CONOR DON said, that the principle of the State usurping the education of the middle classes, who were well able to pay for it themselves, had been declared by the most distinguished statesmen to be opposed altogether to the wishes and feelings of the English people, and he saw no reason why it should be sanctioned with respect to Ireland. He did not believe that the Queen's Colleges led to any change from one religion to another; but he thought that the false principle of mixed teaching induced indifferentism among the students, which was quite as bad as proselytism. The whole of the Estimates for Irish education, in his opinion, ought to be taken together.

Mr. O'REILLY said, he fully agreed with the hon. Gentleman who had spoken last that the Irish Education Estimates ought to be discussed as a whole. One principle of the English system was that the State should not contribute to the education of those who could afford to pay for their own education, and another principle was that the assistance given to the poorer classes who could not pay for their own education should depend upon the amount obtained by voluntary efforts. It was a cardinal point in that system that the State should not monopolize the education of the people; and although in France and other countries a contrary system was adopted, it had always been held in England that the individual freedom of the citizen would thereby be compromised. In Ireland, gradually and insidiously, because, if brought forward at once, it would have been successfully resisted, the attempt had been made to introduce a system by which to vest in the State the whole education of the country. It was said that free education might also exist. The ex-King of Bavaria instituted a State newspaper, the whole cost of which was paid for out of the public funds, and he caused it to be sold at infinitely less than its cost. It was said that free newspapers might exist in Bavaria. But, under those circumstances, competition was impossible, and no free press could exist. It was the same with regard to education. No system which must be supported by the voluntary contributions of the taxpayers could compete with a system of State education paid for out of the public funds, which the taxpayers were called upon to provide. Last year Irish Members pointed out that one-third of the students in some cases, and two-thirds in others, received pecuniary rewards for attendance. The right hon. Baronet then promised that these rewards should not be distributed over so large a number. They also called his attention to the fact that some of the professors taught classes of one, two, and three in number, and the right hon. Gentleman promised a revision of these professorships. In the Vote for London University the practice was to give the names of the professors, the numbers of the students, and classes. No such particulars were given in regard to the Vote before the Committee. It was also a rule in London University that no professor should, under any circumstances, become the examiner of his own pupils. He should like to know how many professors of the Queen's Colleges examined their own pupils when they came before the Queen's University.

Mr. F. S. POWELL said, that in his opinion a general discussion on the subject of Irish Education was beyond the scope of the matter before the Committee, but he would observe that in England Parliament had arrived at the system of testing education by results, and something of the same kind ought to be done in Ireland, so that the working of those valuable institutions would be ascertained without a shadow of doubt. Instead of having the large sum of £475 given away in medals and prizes, it would be better to apportion it in the shape of exhibitions and scholarships. At the same time, he was glad that these colleges offered to the young men of Ireland the opportunity of self-cultivation and improvement. In this light they were a boon and a blessing to Ireland.

Mr. BLAKE said, that some years ago there was, perhaps, no greater advocate of mixed education than himself, but experience had convinced him that nothing could be more prejudicial to the south of Ireland than these Queen's Colleges, in which their religious education was neglected.

Mr. MORE O'FERRALL said, he hoped that the right hon. Baronet the Irish Secretary would give the explanations which had been asked for.

Mr. HENNESSY said, he wished to know whether the Royal Commissioners, who were all favourable to mixed education in Ireland, had not, in their Report, recommended that these scholarships should be cut down in number and amount, since the number of students in the Faculty of Arts was smaller than the number of scholarships. He wished also to know whether the right hon. Gentleman the Secretary for Ireland had not thought fit, in the face of that recommendation, to endow more scholarships, and to ask the Gentlemen of Ireland to contribute to them. The President of Queen's College, Cork, Sir R. Kane, stated in his Report that of the six students in the Faculty of Arts five had been promoted into the fourth class. Would the Committee believe that for these six students there were no less than twelve scholarships? Last year, in the same faculty, there were nine scholarships to be competed for by eleven students. He was most anxious that the youth of Ireland should avail themselves of the education of the Queen's College; but that could not be done by making the number of scholarships greater than that of the scholars. It was no use trying to force the Government system upon the people of Ireland, and he would urge the Secretary for Ireland to take the advice given to him by the Vice President of the Queen's College in Galway, and come to a compromise with those who really represented the people of Ireland.

Mr. F. S. POWELL said, he wished to ask for some explanation of the payments to the examiners.

Sir ROBERT PEEL said, he was not able to say exactly off-hand in what proportions the sum taken for examiners was divided among them, but he would take care that the information was furnished in a note next year. He was sorry that the hon. Member for the King's County did not approve the voluntary subscription which had been raised in Ireland. The request, which had emanated from himself, had met with remarkable success. In a brief space of time the sum of £10,000 had been raised, which was a substantial approval of the policy of the colleges. He had never heard of any charge of proselytism in connection with the Queen's Colleges; but if any were brought to his knowledge, he would take care to inquire into it. The hon. Gentleman was quite aware that he had no more authority to interfere with the course of examination or to change the system than any one else. The Vote was very fully discussed last year, when he had endeavoured to reply to all the objections raised, and he trusted the Committee would pass the Vote—the items of which were not extravagant —just as they had passed the Votes for London University and the Scotch Universities. The students were increasing year by year, and they derived from the education there provided much greater facilities for advancing in their several careers than they had enjoyed before.

Mr. SCULLY complained of the small amount of information given in the Estimates compared with the Votes for the London and Scotch Universities.

Mr. O'REILLY said, he wished to ask how many professors of the Queen's Colleges acted as examiners at the University, or, in other words, acted as the examiners of their own students?

Sir ROBERT PEEL said, he could not state how many acted as examiners, but they did not examine their own students.

Mr. O'REILLY asked, how that was managed?

Mr. SCULLY said, there was no use in asking the right hon. Baronet for information, for he knew as little about the matter as any of themselves, and perhaps a great deal less.

Mr. HENNESSY asked when the Report of the Queen's University for the year would be laid upon the table. [Sir Robert Peel said he would inquire.] It would be very interesting to have that Report. He had looked at the last year's Report, and he found that the total number of those who took Master of Arts degrees was ten, of whom five got gold medals and money exhibitions; and among the remaining five, about whom he asked for an explanation last year, but did not get it, were A. H. Curtis, W. Nesbitt, and C. P. Reichel, whose names corresponded with those of three Professors in the colleges. He found one of those gentlemen, Mr. C P. Reichel, down as one of the examiners; he examined himself, was paid for examining himself, and got his degree. Mr. Nesbitt did the same. Mr. Curtis did not examine himself. So that out of the whole number who took master's degrees there were two students who did not get gold medals. No doubt the right hon. Baronet had the success of these institutions at heart; he had given his money for that object, and got his friends to do the same; but he would urge upon the right hon. Gentleman and the Government to do that which alone would insure the success of the colleges—to come to a compromise with those who represented the youth of Ireland.

Mr. CONINGHAM said, the attempt of the Government to educate the youth of Ireland reminded him of an old Irish proverb—it was "whistling jigs to a milestone."

Vote *agreed to.*

(6.) Motion made, and Question proposed,

> "That a sum, not exceeding £3,800, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for the Queen's Colleges in Ireland."

In reply to Mr. Hennessy,

Sir ROBERT PEEL said, a considerable sum was proposed to be given in aid of the augmentation of the salaries of the professors in Cork, Belfast, and Galway. It had been clearly shown that the salaries were inadequate to the duties performed, The question had long been under the consideration of the Government. The present Chancellor for the Duchy (Mr. Cardwell), when Chief Secretary for Ireland, had elaborated a scheme for the abolition of certain professorships, and increasing the salaries of the professors. When the colleges were established, under the Government of the late Sir Robert Peel, the number of professorships was not so large, but the Earl of Clarendon afterwards increased it without increasing the Vote applicable to the salaries. What was now proposed to be done was to abolish the office of Vice President, to suppress certain chairs, and to apply the saving which would be thus effected to the increase of the salaries of the professors. The total sum available would be about £2,100, of which £1,800 would be from the Parliamentary grant, and the remainder from chairs which had lapsed in the different colleges.

Mr. SCULLY said, it was a very extraordinary thing that the right hon. Baronet, while attending proselytizing meetings in London, should have the control of the education given in the Queen's Colleges in Ireland. The right hon. Gentleman came down and told the Committee that some chairs were to be abolished and some professors salaries to be increased, but did not explain why it was to be done. He was informed that an English barrister going the Oxford Circuit, who was professor of logic in one of the colleges, was to have his salary doubled. It was not a proper way to present a Vote of that kind to the Committee without enabling them to judge whether the explanation was right or wrong. He should therefore move to reduce the Vote by £1,800.

Mr. HENNESSY said, the explanation of the matter was this. The salaries of the professors were reduced by the Earl of Clarendon from £300 to £250, when the professors were increased from sixteen to twenty. It was said, when the reduction took place, that the professors would get £250 a year, and in addition the class fees of the students. Mr. Hamiliton estimated that those fees would amount to a considerable sum; but what was the result? There were few students, and therefore the class fees amounted to but little. The Committee was accordingly called upon to increase the professors' salaries out of the public funds. He should vote for the increase, because as long as they had professors they ought to pay them.

Mr. SCULLY said, his hon. and learned Friend had given a satisfactory explanation, and ought either to change places with the right hon. Baronet or coach him upon occasions of that kind.

Motion made, and Question,

"That the Item of £1,800, in aid of the augmentation of the Salaries of the Professors of the Queen's Colleges in Ireland, be omitted from the proposed Vote,"—(*Mr. Scully,*)

—put, and *negatived.*

Original Question put, and *agreed to;* as were also the two next Votes—

(7.) £500, Royal Irish Academy,
(8.) £500, National Gallery (Ireland).

(9.) Motion made, and Question proposed,

"That a sum, not exceeding £1,500, be granted ed to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for the Salaries of the Theological Professors and the Incidental Expenses of the General Assembly's College at Belfast, and Retired Allowances to Professors of the Belfast Academical Institution."

Mr. HADFIELD said, he objected to such a sum being paid to the clergymen of a Dissenting body, who were so largely assisted by the Regium Donum, and who were able to raise immense sums for religious purposes by voluntary collections. He should therefore move that the Vote be cut down to £450, that being the sum paid by way of retiring allowances.

Sir ROBERT PEEL thought, that while money was given to the Established Church in Ireland, and Maynooth was kept up for the purpose of educating the Roman Catholic priests, Parliament could not be considered as doing too much if it voted £2,050 for the purpose of educating the clergy of the important body of Presbyterians, who numbered 528,000 out of the 586,000 Protestant Dissenters in Ireland.

Mr. DAWSON said, he should oppose the Amendment. At the close of the last Session the several professors gave a most favourable report of the classes under their care. There were twenty-seven students in the class of divinity, thirty-three in the class of Church history, thirty-five in the class of Hebrew, twenty-seven in the class of Christian ethics, twenty-six in the class of Biblical criticism, and 129 in the class of sacred rhetoric.

Mr. HADFIELD said, he would remind the right hon. Baronet that there was no proportion between the Vote for 528,000 Presbyterians, and £26,000 for Maynooth on behalf of 4,000,000 or 5,000,000 of Roman Catholics.

Mr. BLACK said, that he objected to all Votes of that nature, but he thought that they should be considered as a whole and not separately, and on that ground he would suggest that the Amendment should be withdrawn.

Motion made, and Question put,

"That a sum, not exceeding £450, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for the Salaries of the Theological Professors and the Incidental Expenses of the General Assembly's College at Belfast, and Retired Allowances to Professors of the Belfast Accdemical Institution,"—(*Mr. Hadfield.*)

The Committee *divided:*—Ayes 25; Noes 95: Majority 70.

Original Question put, and *agreed to.*

On Motion, "That the Chairman report Progress,"

Mr. CONINGHAM objected, and said he thought that at that comparatively early hour (a quarter past ten o'clock) the Vote on the National Gallery might very well be proceeded with. He wished to give notice that he should move that the Vote be reduced by £1,400 in the item for travelling expenses and agency.

Motion made, and Question put, "That the Chairman do report these Resolutions to the House."

The Committee *divided:*—Ayes 108; Noes 20: Majority 88.

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again on *Wednesday.*

SUPPLY—[EDUCATION].

RESOLUTIONS [JUNE 11] REPORTED.

Mr. MASSEY brought up the Report of Supply.

Resolutions (June 11) *reported.*

First Seven Resolutions *agreed to.*

Sir STAFFORD NORTHCOTE said, he was sorry he was not in his place the other night when the Education Vote was discussed, because there was a point of considerable importance to managers of schools on which he should have wished to make a few remarks. Perhaps the House would permit him to do so at that time. As that was the first year in which the Revised Code had been in operation, his object was to ascertain exactly how the managers of schools stood under that Code. Under the former arrangements the Government gave comparatively little directly to managers of schools, but they assisted education in this way:—they examined a certain number of teachers, granted them certificates according to their proficiency, and allowed them an augmentation grant proportioned to the character of their certificates. The effect of that augmentation grant was, that the managers of schools were able to obtain the services of certificated masters on more reasonable terms than they could otherwise have done. At the same time, the Government were in the habit of paying the salaries of the pupil teachers employed in the different schools under the Privy Council system. In those two ways the managers of schools received substantial assistance from the Government. The year before the last the Government proposed to alter entirely the plan by which aid was given to education. They proposed, in lieu of the grants to masters and teachers, to give a single capitation grant to managers of schools, and out of that grant the managers were to pay the masters and pupil teachers for themselves. They stipulated that the managers of schools should be bound, if they wished to get any aid from the Government, to undertake to provide for the existing pupil teachers during the time their apprenticeships had to run. In order to make the existing pupil teachers quite safe, they undertook to pay them if the managers of schools failed to do so, but in that case they took away the grant to managers altogether. Afterwards the Government consented to modify their scheme, agreeing in all cases to see that the pupil teachers were borne harmless, and if any of the capitation grant were left, the surplus was to go to the managers. In few words, they constituted a charge upon the capitation grant for the benefit of the pupil teachers. The question to which he wished to call attention was, how that affected the masters. At first the masters were alarmed by the Revised Code, because they said they should no longer get what they had been in the habit of receiving from the Government, but should have to look entirely to the managers of schools; in other words, they would be exchanging a certainty for an uncertainty. That point was pressed on the Government at the time, and the Government said they would provide that the managers of schools should be obliged to employ certificated masters, and that unless there were a special agreement to the contrary, they should pay them what they had been in the habit of paying them before. The Government consented, in fact, that the masters should have a lien upon the capitation grant, and that that lien should be a first charge upon the capitation grant to the extent of the former augmentation grant. According to the previous arrangement, a master who obtained a certificate was entitled to a certain augmentation grant. Suppose the case of a master who was entitled to £20. He was not only entitled to receive £20 in the form of an augmentation grant from the Government, but the Government stipulated on his behalf with the managers that the latter should pay him as salary at least twice as much as the amount of his augmentation grant, so that such a master would have been entitled to £60. It was distinctly understood by those who took part in the discussions of last year that the compromise effected between the Government and the opponents of the Revised Code amounted to this, that the masters should still continue to be entitled to advantages equal to the minimum of those which they enjoyed before—in other words, that such a master as the one supposed should be entitled to his £60, £20 out of the capitation grant and £40 from the managers. Because, however, of the altered system, it was not possible that the charge could be divided as before, and the managers were told that they must provide the master with three times the amount of his capitation grant. The Government proposed a Resolution to the effect that the first charge on the capitation grant was to be the master's lien for the amount of his augmentation, and that the next charge was to be the payment to the pupil teachers. It was also distinctly understood, that if the whole amount of the capitation grant were insufficient to pay the charge for pupil teachers, the Government should make up the deficiency, and therefore the managers anticipated, that if they got a capitation grant large enough to pay the whole of the master's augmentation grant and half of the pupil teachers' salaries, they should be quite safe, inasmuch as the other half of the salaries would be paid by the Government. But by a new code of instruction since issued by the Education Committee to their Inspectors, a wholly different sense had been given to that arrangement. The point was one of great importance, because the matter was settled last year by a kind of compromise; and he believed, indeed, that if the Government had taken a division on the Revised Code as originally framed, they would have been defeated by a considerable majority. The Government, however, did not wish to come to that point; they made concessions, and eventually the matter was arranged on the terms he had already stated. A very slight change made by the Privy Council without the knowledge of Parliament would alter the whole effect of the compromise, and therefore it was important, when the matter was coming into working order, that they, who were in a certain sense the guardians of the interests of the managers and promoters of schools, should ascertain how the Government were carrying out the arrangements, and whether they were keeping faith with the managers. They knew that there must continually be small modifications and changes, but they denied that the Privy Council had a right, without taking the opinion of Parliament, to make changes materially altering the effect of the code as understood to be settled last year. It was almost impossible to explain to the House the minute and technical arrangements which were so important in their bearing, but he had endeavoured to explain what was understood by the managers to be their position under the arrangement of last year. They considered, that if they, the managers of schools, were prepared to provide two-thirds of the master's salary, they might count for certain upon having a lien for the remaining one-third upon the capitation grant, and they considered that there was no impropriety in their agreeing with a master, when engaging at a salary of say £60, to pay him £40, and to give him a first lien upon the capitation grant for the balance. That was understood to be the meaning of the right hon. Gentleman's words last year, and in one case, to his knowledge, the manager of a school acted upon that understanding. In the case to which he referred the manager asked the Privy Council whether it would be necessary to make a new arrangement with their master, the old arrangement being that he was to have £40 a year, and £20 from the augmentation grant. The Privy Council answered that there must be a new arrangement, and a new agreement was come to that the master should receive three times the amount of his certificated money. The reply of the Privy Council was to the effect that the object of the Revised Code was to guard against certain teachers being unduly paid and to secure them against their agreement being broken; but the same teachers could not agree that their agreements should be broken, and that they should be unduly paid. The existence of such a clause virtually put the school beyond the limits of the code, as it tended to divert the first charge upon the grant from an accident into a certainty. The gravaman of the complaint which he made was that the lien upon the grant was meant to be a certainty and not an accident, and the right hon. Gentleman was striving to evade the pledge that had been given. The reason appeared to be to prevent the Government being called upon to meet the charge for pupil teachers. If the right hon. Gentleman could force the managers of schools to make new arrangements to deprive the masters of their first lien upon the capitation grant, of course the pupil teachers would then have the first lien. But it had always been urged, that if only results were to be paid for, let it be so, but allow the managers to use whatever machinery they pleased to obtain the results. That had been the line of argument adopted by the hon. Member for Berkshire (Mr. Walter) and other gentlemen, but the Government had always said, "You shall use our machinery." The Government then seemed to take charge of the pupil-teachers, but now they were compelling the managers to make new agreements with the masters, throwing additional burdens upon the friends and promoters of education. Under these circumstances, he wished to ask the right hon. Gentleman the Vice President of the Committee of Council, whether, supposing in any school the augmentation grant was £20, supposing that the managers agreed that the master should have a salary of £60 a year provided the capitation grant reached the sum of £20—and that he considered a fair and proper arrangement for the master and managers to make—and supposing the capitation grant exactly covered the augmentation grant, and that there were also pupil teachers, would the Government feel bound to make up the salaries of these pupil teachers, and would that school be allowed to go on in union with the Privy Council, and to receive a grant as heretofore?

Sir JOHN PAKINGTON said, he also wished to put two questions to the right hon. Gentleman, both of which involved the good faith of the Government in carrying out the arrangement which had been made in the previous year. It was true that it was difficult to make intelligible to the House the particular points and details involved in the subject, but it was upon small details that the successful working of the system depended. The question was really one of good faith, and the Revised Code had not been in existence for one year. The 136th article said that no grant should be made to an endowed school if the endowment was more than 30*s.* per scholar per annum. That was an intelligible rule, and in his own neighbourhood an arrangement had been made to establish a district school for four small parishes and a small endowment was used as a nucleus; but on the 19th of May an order was issued by the Privy Council completely annulling the arrangement, by declaring that all grants should be lowered by the amount of any annual endowment. That was a grave matter of complaint. He did not intend to enter upon the question whether it was right to make grants to endowed schools or not; but as a year previously it had been declared that such schools should receive grants, the right hon. Gentleman could not be surprised that there were complaints of the changes, as managers had no right to expect such a sudden reversal of understood arrangements. He wished to put to the right hon. Gentleman another question. Great complaints were last year made in consequence of the frequency with which changes were introduced into the scheme of education, and in order to protect the country against those sudden changes the 150th article of the Revised Code laid down that in January of each year, if the Code should be modified or any material alterations in its provisions effected, it should be done in such a form as to show clearly which were the articles cancelled or modified, and all the new articles. Now, to bring down to the House of Commons in the month of May a Minute directly reversing a very important article in the Code was not, in his opinion, to act in accordance with the regulation to which he adverted.

Mr. W. E. FORSTER said, he desired to call the attention of the House to the remarkable manner in which information was furnished by the Committee of Council with respect to the Vote under discussion. It was the duty of that Committee to make a Report independent of the Reports of the Inspectors, and the right hon. Gentleman the Vice President had been repeatedly asked when the blue-book on the subject would be presented. Hon. Members were told it would be presented when it was ready; but last Thursday the right hon. Gentleman had carried the Education Vote through Committee, while it was not until Saturday morning that the blue-book made its appearance. Information given in that way was almost useless; but if the blue-book had been laid on the table sooner, he (Mr. W. E. Forster) thought he should have been able to adduce additional evidence to show that the Report, to use a term to which the right hon. Gentleman took exception, was "cooked." The right hon. Gentleman told them that the Inspectors were not to express opinions, but merely to state facts; yet he found, from the very cursory examination which he had been able to give the volume, that opinions were stated, only they happened to be all on one side. He found, for instance, that there was in the present volume a very clever Report in answer to his hon. Friend the Member for Berkshire, while he did not perceive that there was anything on the other side.

Mr. PUGH said, he wished to draw the attention of the House to the case of Wales. The managers of schools there found no fault with the present system, but some difficulties arose out of the operation of the Welsh and English languages. He did not desire to break into the present system, but it would at the same time, he thought, be an advantage if it were made an instruction to the Inspectors, when called upon to allow the grant, to admit of the standard being lowered to some extent in the Welsh schools.

Mr. LOWE said, he could not consent to the lowering of the standard as the hon. Gentleman suggested, nor, he was happy to say, did he think it necessary to take that course. There were, no doubt, some difficulties to be contended with in Wales owing to the cause to which the hon. Gentleman referred, but then they were not of so serious a nature as to render it impossible that they should be overcome. With respect to what had fallen from the hon. Member for Bradford (Mr. W. E. Forster), he might observe that it was quite natural he should complain of the Report not having been laid on the table when the Education Vote came on for discussion. Neither the time when the Report should be ready nor that on which the Vote should come on was, however, a matter over which he had any positive control. The Vote was seldom brought under the notice of the House before the middle of July, while the Report had that year been presented as early as usual. The hon. Gentleman would therefore see that there was no good ground for assuming that the Report had been intentionally withheld until after the Vote had been passed.

He should next advert to the remarks which had fallen from the right hon. Baronet the Member for Droitwich, who had used somewhat hard language, inasmuch as he had stated that the Committee of Council had last year entered into an engagement through which they had broken. The ground on which he made that charge was that in the 136th Article of the Revised Code it was laid down that no grant should be made to endowed schools whose endowment yielded more than 30*s.* per annum on the average attendance of scholars, and that it was now sought to depart from that arrangement, which he said was part of the compact entered into last year. There was, however, he contended, no breach of agreement in altering the article alluded to. These were the words of the right hon. Gentleman the Member for Cambridge University, embodied in articles 150-1 of the Code—

> "In January of each year, if the Code be revised, or any material alteration in it be necessary, it shall be printed in such a form as to show separately all articles cancelled or modified, and all new articles.
>
> "In the event of such revision or material alteration as mentioned in the last foregoing article, it shall not be lawful to take any action thereon until the same shall have been submitted to Parliament, and laid on the table of both Houses at least one calendar month."

The Code was to be printed in January. In that Code were to be shown all the articles that were modified or changed. Now, that, said the right hon. Gentleman, had been violated, because on the 19th of May a fresh Minute was made, and they had not, he said, printed it last January. But it would be printed next January. The two articles last quoted amounted to this, that where a new Minute was made, it should be laid before the House of Commons for one month before it became law; and in addition to that security the Code was to be printed with the new Minutes made once a year, so that the House should have the opportunity not only of seeing a Minute at the time it was passed, but have a collective view each year of all the Minutes and changes made. Now, if it were meant by the right hon. Gentleman that they had come under an engagement to make no Minutes except in January each year, he must ask him where it was said so; and if it was not said so, why were they charged with a breach of faith? The Minutes had been literally and studiously adhered to.

Having disposed of that point, he would turn to the hon. Baronet the Member for Stamford. In order, as far as they could under the Revised Code, to meet the wishes of the schoolmaster, they undertook to give him as much security as was in their power that he should be properly paid by the managers. Perhaps it was superfluous to undertake to protect the schoolmaster against the managers, because seldom or ever had the managers taken advantage of the schoolmaster; but purely for the purpose of protecting the schoolmaster a lien or charge was given him on the grant to the extent of one-third of his salary, as defined by his certificate; and if the managers did not pay him twice as much, their grant would be withheld altogether. That agreement was made voluntarily by the Government, under no pressure whatever, on the 13th of February in last year. Two months afterwards, on the Motion of the right hon. Gentleman the Member for Cambridge University, a further concession was made in behalf of the pupil teachers, who were to have a second lien or charge on the grant for their salary; and if that was not enough, the Government would make it good. Then the first Minute became of great importance, because, although it was originally intended to protect the schoolmaster against the manager, certain managers fancied they saw a way in which, by colluding with the schoolmaster, they might obtain the means of extracting more money from the Privy Council than they would be entitled to receive on the examination of their children. That was never the intention of the Minute; and he did not intend, if he could help it, that such an effort should be successful. The hon. Gentleman said he had now altered the construction of the Minute—that he had given one interpretation at one time, and another at another. Where was the evidence on which he rested such a charge?

Sir STAFFORD NORTHCOTE explained, that he had only said the Minute had been understood differently by others.

Mr. LOWE: It was true he had said that the masters should have a lien or charge on the grant, but a lien on a man's coat was one thing, and the coat itself was another. The hon. Baronet had put four questions to him in writing, which he had answered to the best of his power, and he was sorry to find his replies had not been satisfactory. The hon. Baronet now put further questions to him, but he could not pretend to answer these hypothetical questions. He was not there to give, without notice, hypothetical interpretations on points of great nicety and difficulty in the Minutes of Council. He might be misreported, or what he said might be used as a means of charging him with a breach of faith. That was the answer he had to make, and he thought it much more prudent to make no further answer till the cases on which questions were put were before them. The best mode of raising questions was to move for the correspondence which might have taken place.

Sir WILLIAM MILES observed, that many questions not hypothetical had been put to the right hon. Gentleman, and his answers had not always been satisfactory. It was not very agreeable to find that the Revised Code was little better than waste paper. He trusted that the right hon. Gentleman would treat this matter liberally, and not by any lawyer-like quibbles seek to deprive any class of schools of that which, according to the spirit of the Minutes, was promised them.

Mr. HENLEY said, he had heard, and he thought the country would also hear, with the greatest possible alarm, the statements which the right hon. Gentleman the Minister for Education had made. The Revised Code was a measure undertaken by the Government entirely of their own accord, and without any pressure being put upon them. That Code was placed before the country, and to parts of it exception was taken. After being amended it was passed by the House; and now the right hon. Gentleman stood up and coolly said, "Oh, you don't suppose there is any force in it!"

Mr. LOWE explained, that what he said was that they did not bind themselves not to alter it if they saw fit.

Mr. HENLEY: Nobody supposed it was unalterable like the laws of the Medes and Persians; but the right hon. Gentleman charged school managers in the country, who put the best construction they could on parts of the Code which had not been altered, with "colluding" to get money from the Privy Council to which they were not entitled. It would be better to make such a charge, if it were made at all, against those who had an opportunity of answering it. It could not, however, be answered, because nobody knew against whom it was made. There was enough mistrust already as to the mode in which the right hon. Gentleman was administering the Privy Council grants; but if he was to play fast and loose with his new Code or Minutes as he chose, the present distrust would greatly increase. They all knew that the phraseology in which these things were drawn up was so highly technical, and was prepared by such a master of language as the right hon. Gentleman who presided over the Department, that nobody could tell exactly what was meant; but if, in addition to all that, they were to have from the right hon. Gentleman the statements they had heard that night, the relations of school managers with the Committee of Privy Council would become very uncomfortable indeed.

Resolution *agreed to.*

Eighth Resolution read 2°.

MR. AUGUSTUS SMITH said, he wished to have some explanation as to the item taken for permanent buildings at South Kensington. A Committee had originally recommended an expenditure of £27,000 for permanent buildings, in lieu of certain sheds, which were said to have been in a very dangerous state in case of fire; but he found that they had been laying out money for permanent residences. That expenditure went on increasing year by year without any satisfactory explanation being given, and in order to check that increase he begged to move that the Vote be reduced by £10,000.

Amendment proposed, to leave out "£82,883," and insert "£72,883,"—(*M Augustus Smith,*)—instead thereof.

MR. CAVENDISH BENTINCK said, that when it was agreed that residences should be erected for certain officials at Kensington, it was understood that their salaries would be reduced in consequence of those residences being provided for them. He wished to know if such reduction had taken place?

MR. LOWE explained, that what he had said on a former occasion was, that when the persons entered into possession of their residences, there would be a deduction from the salaries corresponding with the rent. The residences were not complete, and they had not entered them, and consequently the reduction was not yet made. It would be settled by the Treasury; and as soon as it was fixed, he would give the hon. Gentleman the information he required.

MR. AUGUSTUS SMITH said, that as his Amendment did not refer to the deductions, but to the Vote generally, he should take the sense of the House upon it.

Question put, "That '£82,883' stand part of the Resolution."

The House *divided:*—Ayes 147; Noes 19: Majority 128.

Resolution *agreed to.*

VOLUNTEERS BILL—[BILL 152.]

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

MR. HENNESSY said, he rose to move that the Bill should be re-committed, with the view of striking out the 20th section, in order to insert a clause empowering the commanding officer of a Volunteer corps to suspend a Volunteer for a period not exceeding two months, and authorizing him in addition to, or in lieu of, such suspension to assemble a court of inquiry, consisting of himself as president, and six other members of the corps, to investigate any charge against a Volunteer, such court to have power of suspension or dismissal. The clause which he proposed would in effect carry out the War Office regulations. He held in his hand a bundle of letters all in favour of the institution of a court of inquiry as opposed to arbitrary dismissal, and another packet to the like effect, exclusively from officers of the Volunteer service. The commanding officer of the 3rd Lancashire Rifle Volunteers wrote that a meeting of officers had been held, at which it was unanimously agreed to petition against the power conferred by sections 21 and 24 of the present Bill. The lieutenant colonel commanding another regiment stated that—

> "A properly constituted court of inquiry, far from weakening the commanding officer's authority, would strengthen his hands, by guaranteeing to him possession of the true facts of the case before he was called on to act, and in many cases would relieve him from great difficulty and embarrassment."

Lieutenant Colonel Luard, Inspector of Volunteers, when questioned before the Commission as to the power of dismissal, said—

> "It is a greater power than is awarded to any officer in the army ; and I should say it is a power which ought not to be in the hands of the commanding officer of any Volunteer corps."

His noble Friend (Lord Elcho) said, "Why not adopt the law of 1804 ?" But he would ask his noble Friend whether he was prepared to adopt in all points the law as it existed in 1804 ? In the *Annual Register* for that year he found the following case :—

> "Robert Howes, J. Reynolds, and J. Cody stood in the pillory at the corner of Duke Street for having assumed the character of merchants and drawn bills of exchange on each other."

He maintained that in forcing the clause upon the Volunteer force the Government were not only doing much to destroy the Volunteer force, but were actually creating a power unknown to the common law and in direct contravention of the War Office regulations. Some commanding officers, with the qualifications of his noble Friend, were perfectly fit to be intrusted with the proposed power; but he could contemplate cases in which such a discretion would not be safely or properly reposed. He hinted that some of the military or naval Members of the House would give them the benefit of their opinions on the clause.

Amendment proposed, to leave out from the word "be" to the end of the Question, in order to add the word "re-committed,"—(*Mr. Hennessy,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Colonel FANE said, the Volunteers of the county which he had the honour to represent felt very strongly on the subject. Having mixed a good deal with them of late, he knew that but one feeling existed in the force, and that was in opposition to the power asked for. Having had the command of a militia regiment both at home and abroad, he knew that circumstances were constantly occurring which were calculated to irritate and annoy commanding officers ; and this certainly would be a very oppressive power to put into the hands of any man who might happen to lose control over his temper.

Colonel DUNNE said, that at that moment commanding officers of militia in Ireland could recommend the dismissal of any member of the permanent staff. He presumed a similar power existed in England. He did not, therefore, see why Volunteers should object to it.

Colonel SYKES said, in his opinion the power was necessary, but it should be so guarded as to prevent abuse. He therefore thought that the commanding officer should be required to record the reasons for the dismissal of any officer under his command.

Mr. W. E. FORSTER said, the Bill only proposed to continue a power which already existed, and which, up to that time, had been found to act in a highly beneficial manner. At the first blush they must all feel that it was an arbitrary power to give to any individual ; but it was very difficult to avoid it, because there would be no Volunteer force at all if a court martial, or anything like it, was applied to the Volunteers. As matters stood, commanding officers had power to assemble courts of inquiry. That power was not taken away by this Bill; and he had no doubt that it would continue to be made use of to the same extent which it had hitherto been. In the army and in the militia there was such an organization as permitted a court martial being held, but it was different in the Volunteers. If they made it compulsory in the Volunteer service to hold courts martial, it would be, in fact, to place the command of every regiment in the hands of a committee, and it would be necessary to make the committee, and not the commanding officer, responsible for the discipline of the corps. He believed the vast majority of the Volunteer force were aware of this, and he believed that the introduction of the clause sought to be introduced would be, in the minds of that majority, fatal to the service.

Mr. COX remarked, that he differed very much from the hon. Gentleman who had just sat down, and he thought the clause to which exception was taken one of the most arbitrary which could possibly be drawn. The Volunteers asked for a court of inquiry, precisely in the same way as a court of inquiry or court martial was held on the privates and non-commissioned officers in the militia and regular army. It was true punishment could be inflicted on militiamen and soldiers which could not be inflicted on Volunteers, but the punishment of dismissal was quite as serious in its effect on the character of the Volunteer who was dismissed as any punishment authorized by the Articles of War. Why was the Bill pressed forward in such haste? Were the Government afraid of Petitions coming in? He had promised that Petitions would be presented, and they had been presented in some numbers; but in a week or ten days they would be so numerous as to show, that if the clause were retained, the Volunteer force would be destroyed. From a letter which he had received from Lord Ranelagh, he understood that the noble Lord was annoyed at an observation made by him (Mr. Cox). He (Mr. Cox) thought he had only made a fair deduction from the noble Lord's evidence; but the noble Lord said he never intended such deduction to be made. Any one had a right to make his own deductions from evidence; and if the noble Lord did not intend such deduction to be drawn, the person deducing was less to blame than the witness who had given evidence which was liable to such deduction. However, the noble Lord said he did not intend such deduction to be made; and he (Mr. Cox) wished to give him all the advantage of the greatest possible publicity to his denial.

MR. J. R. ORMSBY GORE said, he thought the explanation of the hon. Member for Finsbury very insufficient. He was authorized by Lord Ranelagh to say that not a tittle of his evidence could be construed to bear the meaning which the hon. Member had tried to put upon it. No one deprecated more than Lord Ranelagh the flogging of Volunteers, and he was astonished that the hon. Member for Finsbury should shield himself under the privilege of a Member of Parliament to make scandalous and unfounded assertions.

SIR ROBERT CLIFTON said, he rose to order. He moved that the words just used by the hon. Member be taken down.

The words having been taken down by the Clerk at the table,

MR. SPEAKER: I certainly should myself have risen to state that the observations which fell from the hon. Member in regard to the hon. Gentleman the Member for Finsbury were not Parliamentary, and were such as he himself must on reflection regret he had used.

MR. J. R. ORMSBY GORE: Sir, I am sorry if I have said anything disrespectful to this House. But when a man is not here, and cannot defend himself, there should be better grounds for the allegations that are made against him. However, I am sorry if I have transgressed against the rules of the House.

MR. SPEAKER: The hon. Member having expressed his regret for the language he has used, that expression of regret must be satisfactory to the House.

MR. CONINGHAM said, the provision of the Bill under discussion was of a most objectionable character. In fact, the whole system of courts martial in the army itself required an alteration, and he could not think that the arbitrary powers conferred under the clause were popular with the Volunteers.

MR. SEYMOUR FITZGERALD said, in the absence of the noble Lord who had been the subject of attack by the hon. Member for Finsbury on a previous occasion, he wished to say a few words to the House. The noble Lord had, he thought, just reason to complain of the language of the hon. Member for Finsbury on the former occasion to which he referred; and that evening, with the denial of the noble Lord in his hand of the opinion imputed to him, the hon. Member for Finsbury had uttered the most scanty—he would almost say the most ungenerous expression of regret which had perhaps ever fallen from an hon. Gentleman under similar circumstances. A charge resembling that made by the hon. Member for Finsbury had before been made against the noble Lord. [Mr. Cox: I made no charge.] Well, then, the statement he made—

MR. COX: I made no statement. What I said was that some commanding officers appeared to regret that they had not the power of flogging.

MR. SEYMOUR FITZGERALD: That was supposed to apply to Lord Ranelagh. A similar statement had already been the subject of an inquiry before a magistrate, and Lord Ranelagh thought it his duty to bring the author and disseminators of that calumny before the tribunals. Lord Ranelagh upon that occasion distinctly denied that he had ever made such a statement, or given any evidence to justify it, and that any such imputation was contrary to every opinion he had ever held. Yet, after that denial, the statement was repeated by a Member of the House. [Mr. Cox: No.] Lord Ranelagh thereupon wrote to that hon. Member to say that the opinion imputed to him was quite contrary to his views, and could there be a more grudging and scanty apology made to that House than for the hon. Member for Finsbury to say "I will give the noble Lord the benefit of his denial?"

THE MARQUESS OF HARTINGTON said, he could not altogether regret the debate which had just taken place, because it had afforded the hon. Member for Finsbury an opportunity of retracting some aspersions which he had cast upon a noble Lord. [Mr Cox: I cast no aspersions.] He could have wished that that retractation had been more complete and generous than the hon. Member for Finsbury had made it. The statement of the hon. Member might lead the House to think that it was only since receiving the denial from Lord Ranelagh that he had been aware of the noble Lord's real sentiments. Lord Ranelagh had, however, taken every opportunity in his power of denying the accusation made against him as distinctly and completely as possible; and it must have been within the knowledge of the hon. Member for Finsbury, when he spoke the other night, that Lord Ranelagh had denied, and successfully denied, what had been imputed to him, and had obtained an apology from those who had accused him. The proposal of the hon. Member for the King's County to re-commit the Bill was most extraordinary. He could understand a Motion against the third reading, but to move to re-commit the Bill for the purpose of expunging a particular clause which had been already twice discussed, was bordering on what he might term trifling with the House. The question had been so fully discussed that the House would, he hoped, forgive him if he declined to argue the clause again. Not a single new argument had been brought forward in favour of the Amendment, and of all the cases which had been brought before the House in its support (and they had certainly been raked up in a most industrious manner) not one had been substantiated. He did not underrate the value of the opinion expressed by the hon. and gallant Member (Colonel Fane); but almost every Volunteer who had spoken had expressed a contrary sentiment. He did not think the clause was unpopular with the Volunteers, who were, he believed, aware of it when they enlisted. The Bill had been pressed forward in order to entitle the Volunteers to receive the grant during the present year, and he trusted that no further opposition would be made to the passing of the measure.

Mr. KNIGHTLEY did not believe that the clause would make the service unpopular. It was a mere re-enactment of the existing law.

Question put.

The House *divided:*—Ayes 138; Noes 31: Majority 107.

Main Question put, and *agreed to.*

Bill read 3°, and *passed.*

PIER AND HARBOUR ORDERS CONFIRMATION (*re-committed*) BILL—[Bill 148.]

COMMITTEE.

Bill *considered* in Committee.

Lord RICHARD GROSVENOR moved that so much of the Bill as relates to Rhyl Pier and the Provisional Order referring thereto be struck out.

Mr. WYLD, as a Member of the Committee to which the Bill was referred, said, that the Committee had inquired into the subject with great care and had decided according to the evidence. He should therefore support the decision of the Committee.

Mr. HUMBERSTON said, that the governing body at Rhyl had petitioned against the confirmation of the Provisional Order relating to that place. If it were confirmed, a pier would be enforced on the inhabitants to which they objected, and they would be compelled to buy up the projectors, in order that they might get a pier afterwards adapted to their requirements.

Mr. MILNER GIBSON said, that all the proceedings upon the Bill had been strictly regular, and the Select Committee had reported in favour of the Bill. Of course, it was for the House to say whether it would or would not confirm the finding of the Committee; but for himself he thought they ought to do so, for he believed that the Committee was perfectly impartial and had framed their Report upon the evidence before them.

Mr. E. P. BOUVERIE said, that the fact was, that through a technical mistake the Provisional Order had not been opposed, as it otherwise would have been, in the Select Committee. It was most important that the House should take care that under cover of these Provisional Orders promoters of bubble schemes should not be enabled to carry out their plans at the expense of the inhabitants of a district.

Mr. LIDDELL said, that Parliament never contemplated encouraging jobs or parties occupying ground without a *bonâ fide* intention to carry out a work. He thought the Board of Trade had not done its duty in the matter.

MR. MILNER GIBSON denied that there had been any negligence on the part of the Board of Trade. He believed that this matter was purely a question of competition.

MR. E. ELLICE (Kilmarnock, &c.) said, that unless more satisfactory information were given on the part of the Board of Trade he would support the Amendment.

MR. COBBOLD, as Chairman of the Select Committee, said, it appeared in the evidence that many of the local Commissioners and many inhabitants of the town were favourable to the Bill. The Committee were unanimously of opinion that it was expedient to confirm the Order.

House *resumed.*

Bill *reported ;* as amended, to be considered *To-morrow.*

CHARITABLE USES BILL—[BILL 164.]

SECOND READING.

Order for Second Reading read.

THE SOLICITOR GENERAL moved the second reading of the Bill.

MR. HASSARD withdrew an Amendment of which he had given notice on receiving an assurance from the Attorney General for Ireland that he would consider the propriety of assimilating the laws of England and Ireland relating to charitable property.

Bill read 2°, and *committed* for *Thursday.*

TROUT, &c. FISHING (SCOTLAND) BILL. [BILL 146.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. W. EWART moved that the Bill be now read the second time.

SIR GRAHAM MONTGOMERY moved, as an Amendment, that the Bill be read a second time that day three months.

MR. MACKIE seconded the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months." — (*Sir Graham Montgomery.*)

THE LORD ADVOCATE recommended that the Bill be not passed, as, although he thought there was a grievance to be remedied, yet he thought also that the remedy would go far beyond the grievance.

Question put, "That the word 'now' stand part of the Question."

The House *divided :*—Ayes 12; Noes 37: Majority 25.

Main Question, as amended, put, and *agreed to.*

Second Reading *put off* for three months.

MUTINY (EAST INDIA) ACT REPEAL BILL.

On Motion of Mr. BARING, Bill to repeal the Act of the twentieth and twenty-first years of Her Majesty, chapter sixty-six, for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the East India Company, and for regulating in such Service the payment of Regimental Debts and the Distribution of the effects of Officers and Soldiers dying in the Service, *ordered* to be brought in by Mr. BARING, Sir CHARLES WOOD, and the JUDGE ADVOCATE.

Bill *presented,* and read 1°. [Bill 166.]

House adjourned at a quarter after Two o'clock.

HOUSE OF LORDS,

Tuesday, June 16, 1863.

MINUTES.]—PUBLIC BILLS—*First Reading—* Volunteers* (No.140); Regimental Debts, &c.* (No. 141) ; Innkeepers' Liability* (No. 142).
Committee—Bleaching and Dyeing Works Act Amendment* (No. 29).
Report—Salmon Fisheries (Scotland) Act Continuance* (No. 117).
Third Reading—Vaccination (Ireland)*(No.139).

MR. BISHOP'S HEALTH.

THE MARQUESS OF NORMANBY said, that Mr. Bishop since a child had been a confirmed invalid, and of late years had been ordered to reside permanently in a warm climate, on account of a disease of which frequent ruptures of blood-vessels were one of the worst symptoms. He did not wish it to be understood that Mr. Bishop had three times broken a blood-vessel during his imprisonment, and he had not used the three words last night, "during his imprisonment."

House adjourned at a quarter pas Five o'clock, to Thursday next half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, June 16, 1863.

MINUTES.]—PUBLIC BILL—*Committee*—Fisheries (Ireland) [Sir Robert Peel] [Bill 137].

FISHERIES (IRELAND) BILL [SIR ROBERT PEEL]—[BILL 137.]

COMMITTEE.

Bill *considered* in Committee (*Progress* 12*th June*).

(In the Committee.)

Clause 4 (Prohibition of Bag Nets in certain Places.)

MR. H. A. BRUCE said, he had given notice of an Amendment to leave out the words, "or in any other waters except in the open sea at a distance of more than," and to insert the word "within;" but he would take the division on the Motion to omit the words "or in any other waters."

Amendment proposed in page 2, line 18, to leave out the words "or in any other waters."

MR. M'MAHON said, it was important that the clause should remain unaltered. It provided simply that bag nets should not be allowed "except in the open sea." That was a clear and intelligible definition, but nobody could tell where the mouth of a river began. The Amendment of which the Under Secretary had given notice was clearly proposed to save the interests of Mr. Sampson French. [Mr. H. A. Bruce: No.] Then, it was to save interests which might be represented by the word "Sampson-Frenchism." If they saved the interests of one Mr. Sampson French, they must do the same for a dozen other Sampson Frenches. His right hon. Friend (Mr. Herbert) had also given notice of a Motion to save the interests of some Sampson-French. He trusted that the Committee would reject the Amendment.

MR. HERBERT said, as he had been pointedly alluded to by the hon. and learned Member, he might say that on looking over the Bill he saw that it would injuriously affect some friends of his, and he had given notice of an Amendment in order to prevent their being injuriously affected.

MR. LONGFIELD said, that the effect of the Amendment of which the hon. Under Secretary had given notice would legalize all bag nets in all rivers and estuaries, except those within three miles of the mouth. It would be much better for hon. Members to give in the names of their special friends to the clerk at the table, so that a clause might be framed expressly protecting the interests of Mr. Hector, Mr. Little, and other gentlemen who had friends in that House.

MR. H. A. BRUCE said, he would admit that his Amendment was a departure from the main principle of the Bill. The bag nets were put up legally under the Act of 1842, the framers of which evidently did not know what they were doing in legalizing these destructive engines. The Committee would be justified in refusing to legalize bag nets, because what did a bag net do? It might be run across so as to intercept the progress of all the salmon up a river. At the same time, the Committee would not be right in ignoring the rights that had grown up under the Act of 1842. It would be an act of harshness to sweep them away without allowing time to carry out the necessary arrangements. The case of Mr. Sampson French was one which he would admit had been considered by the Government, and they came to the conclusion that a limited proposal to be moved hereafter by the right hon. Gentleman (Mr. Herbert) was a very fair one. The Bill would, however, still confer great advantages on the fisheries of Ireland.

MR. LONGFIELD said, that if the proprietors of fisheries who were to be conciliated were named, he would vote for the Amendment; otherwise, as the Amendment would work a very important alteration in the meaning of the clause, and was intended to save the property of certain gentlemen, he would oppose it.

SIR WILLIAM SOMERVILLE said, he wished to know whether they were legislating for public or private rights. The hon. Under Secretary for the Home Department had admitted that the bag nets might be so placed as to intercept every fish. Then, why did the hon. Gentleman ask the House to pass a Bill that gave to private individuals the right to intercept and kill every fish that attempted to go up the river? Talk of confiscation! Could there be a more complete act of spoliation? He was now in favour of the Government Bill, and he thought it very hard to have to get up and defend it against the Amendments by which the Government now wished to destroy the efficiency of their own measure.

MR. H. A. BRUCE said, that by the Amendment he proposed they did not legalize any bag nets whatever.

MR. BUTT said, by the clause as proposed to be amended bag nets would be prohibited in river estuaries and within three miles from the mouths of the rivers.

LORD NAAS said, he hoped that they would retain the words "other waters," as he knew waters which could not be defined as estuaries, but in which by bag nets they might catch every fish that came up.

SIR EDWARD GROGAN said, he should oppose the Amendment. On the west coast of Ireland, there were waters in which they might take every fish by bag nets.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided*: — Ayes 35; Noes 33: Majority 2.

MR. M'MAHON said, he would move to strike out the word "three" and insert the word "five." The effect of the Amendment would be to prohibit bag nets, except at a distance of more than five miles from the mouths of rivers.

COLONEL VANDELEUR said, he should oppose the Amendment. A great many persons might be injured if it were adopted.

Amendment *negatived.*

MR. REDMOND moved, after the word "rivers," to add "estuaries."

SIR ROBERT PEEL said, he saw no objection to the Amendment.

Amendment proposed, in line 20, after the word "rivers," to insert the words "or estuaries."—(*Mr. Redmond.*)

Question put, "That those words be there inserted."

The Committee *divided*:—Ayes 76; Noes 8: Majority 68.

MR. BUTT said, he would move an Amendment to the Clause, to the effect that no person should be allowed to erect a bag net within three miles of a river, "save any person having an exclusive right of taking salmon in any such river." It was manifest that in the case of an exclusive right to both banks of a river, from its source to its mouth, no injury could be done to any other party by leaving undisturbed the power of erecting bag nets.

LORD NAAS observed that a person holding such a property might by means of bag nets erected within three miles of a river inflict an injustice on parties possessing rights of property over contiguous streams.

SIR ROBERT PEEL said, he had no objection to the principle of the Amendment; but he thought that they ought to exercise great caution in adopting it, lest they might thereby interfere with the rights of other parties. If the Amendment was not then pressed, he was ready to undertake that the Government would consider the subject, and endeavour to introduce a provision on the bringing-up of the Report, for the purpose of attaining the object contemplated by the hon. and learned Member for Youghal.

MR. BUTT said, he would withdraw the Amendment.

MR. M'MAHON said, the Amendment was so dangerous that the Committee ought not to allow it to be withdrawn, but they should negative it.

MR. O'HAGAN said, that he could not approve of the Amendment, because it appeared to go beyond the purpose for which it was intended, and would enable a proprietor not only to preserve the bag nets already established, but to create new bag nets. All he could say was, that he and his right hon. Friend (the Chief Secretary) would give their best consideration to the subject.

LORD DUNKELLIN said, he trusted than any further consideration given to the Amendment would lead the Government to oppose it on the Report.

Amendment *negatived.*

Clause, as amended, *agreed to.*

Clause 5 (Penalty on new fixed Nets).

SIR WILLIAM SOMERVILLE said, that he was a Member of the Select Committee to which the Bill of 1842 was referred. He felt quite certain, that if that Committee had foreseen the operation of the clauses of that Act, it would not have received the support of a single Irish Member. It was proposed on the responsibility of the Government; and though he was a consenting party to it, it was because he was ill-informed; and it had ever since been a matter of deep regret to him that he had assented to the passing of a law which had most materially injured not only the fisheries of Ireland, but also the poor of that country. It had, indeed, perpetrated an act of spoliation and confiscation. Parliament took away from one man and gave to another, and, what was worse, took away from the poor and gave to the rich. But the clauses of the Act of 1842 were proposed on public and not on private grounds—not to enable the proprietors of the lower fisheries to make money, but because it was alleged that new and destructive engines had been invented for taking fish, that the public markets were ill-supplied, and that fish would be more abundant if that Act were passed. The Committee were now told, with truth, that the operation of the Act of 1842 had been most destructive to the fisheries, and that it had deprived the poor of their daily bread. Were they also to be told that the Act conferred vested rights upon particular individuals, to enable them to fish in a particular manner, and that the House of Commons must look on while all the river fisheries of Ireland were being destroyed? He trusted the Committee would not believe that rights conferred in such a manner, and for such objects, ought to stand in the way of more beneficial legislation. They had heard of nothing but the Shannon during the debates on the Bill before them; but what had become of the fish in the small and beautiful rivers of Ireland? They were absolutely destroyed, and the fish were gone. He was told that it was an angler's question. Well, he was in favour of protecting the rights of anglers, for an angler's success represented the stock of fish in the water. But year after year the stock of fish in the Irish rivers had diminished. He had supported the Bill as a compromise; but he could not find any compromise in the present Bill on the part of the weir-owners. The clause proposed that no fixed net not legally in use for catching salmon at the time of the passing of this Act should be used in any inland or tidal waters. He would propose as an Amendment to leave out the words "at the time of the passing of the Act" for the purpose of inserting "on January 1 1848." He proposed that Amendment, because in 1848 he brought in a Bill, which became law, by which he did not attempt to repeal the Act of 1842, but which remedied some of its defects. He did not recognize by that Act any of the vested rights supposed to be created under the Act of 1842, and the effect of his Bill was to increase the supply of fish in the rivers. The proprietors in many districts, however, took advantage of the increased stock of fish, and put up fixed engines. They thus took all the fish which his Act had been the means of preserving. The result was that the fisheries were again destroyed. His object now was to prevent those who took advantage of the improvement to be effected by the Bill before the Committee from setting up any claim of vested interest in consequence of what they did in 1848. Those parties ought not to be allowed to take advantage of their own wrong; and if his Amendment were agreed to, the clause would only recognize the fixed engines put up prior to the Act of 1848.

Mr. H. A. BRUCE said, that the right hon. Gentleman asserted that the Bill before the Committee was no compromise at all. [Sir William Somerville: Not as to stake nets.] Was it nothing to prohibit all new stake nets? Was it nothing to appoint a commission to carry out the Act, with larger powers than any commission had ever had before, to inquire into the rights of parties, and overrule everything contrary to those rights? He could not agree with the right hon. Gentleman in thinking that the rights and interests which had sprung up since 1848 had no claim upon the consideration of the Committee. If the Amendment were carried, it would be for the Government to consider whether they would proceed with the Bill. It was opposed to every principle on which the Bill was brought forward.

Mr. CONOLLY said, he also must express his disapproval of the Amendment. He denied that the salmon fisheries of Ireland had declined under the existing law. There certainly had of late years been a great increase in the quantity of fish forwarded from Ireland to the markets of Liverpool and London since 1842.

Mr. MONSELL said, that the construction of railways had no doubt facilitated the transmission of fish from Ireland to this country, but he believed, at the same time, that the salmon fisheries of Ireland were being gradually destroyed by the existing state of the law. He should add, however, that he thought it would not be wise for them to adopt the Amendment of the right hon. Baronet the Member for Canterbury, inasmuch as by pursuing such a course they would in all probability render impossible the passing of the Bill.

Sir ROBERT PEEL said, that the Amendment would open the door to a vast amount of litigation. There was no certain record of the fixed engines in existence on the 1st of January 1848. It was most desirable that the Bill should pass in the present Session, and he trusted that his right hon. Friend would not press his Amendment.

Mr. LONGFIELD said, he approved of the Amendment as an abstract proposition.

But he thought it was not desirable that they should by its adoption endanger the success of the Bill. The measure as it stood would at all events be productive of considerable advantage. Out of 138 fixed engines in the Shannon it would remove 77, that number of the fixed engines being bag nets.

Mr. BLAKE remarked, that the only fault he found with the right hon. Gentleman was that his Amendment did not go half far enough. There were, he believed, only three rivers in Ireland containing bag nets. In all the others the stake nets were retained just as they were left by the Bill of 1842.

Sir WILLIAM SOMERVILLE said, he perceived that the general sense of the committee was opposed to the Amendment. and he would therefore not persevere with it.

Amendment, by leave, *withdrawn.*

Mr. BLAKE said, he wished to move an Amendment in the clause to the effect, that "in no case should any stake weir, stake net, or fly net be allowed to extend beyond the low-water mark of ordinary neap tides." He believed that the Bill as it stood would be productive of little or no benefit of any kind, while it would be attended with one great disadvantage, that it would render any future amendment of the law entirely hopeless.

Mr. MONSELL said, it would be better to get rid of stake nets by a direct Motion than by a side-wind of the kind proposed. If the Amendment were agreed to, the stake nets on the Shannon would be entirely useless.

Amendment *negatived.*

Mr. CONOLLY said, he would divide the Committee against the clause.

Motion made, and Question put, "That the Clause, as amended, stand part of the Bill."

The Committee *divided* :—

Mr. Conolly was appointed one of the Tellers for the Noes; but no Member appearing to be a second Teller for the Noes, the Chairman declared the Ayes had it.

House *resumed.*

Committee report Progress; to sit again on *Friday*, at Twelve of the clock.

CASE OF CHARLES THOMAS.

QUESTION.

Mr. HADFIELD said, he wished to ask the Secretary to the Admiralty, Whether his attention has been drawn to the proceedings of a court martial, held on board Her Majesty's Ship "*Victory*," at Portsmouth, on Charles Thomas, a seaman, charged with insubordination and using offensive language to a Boatswain, who had ordered the liberty-boat to leave before its appointed time, when the prisoner was returning to his ship after the expiration of his leave of absence to get married; and if so, whether it be true that, under the circumstances of that case, the prisoner was adjudged to be reduced to the second class, to receive forty-eight lashes, to be imprisoned in Winchester Gaol for two years, and then to be discharged with disgrace from Her Majesty's Navy; and whether he will lay the proceedings of the court upon the table of the House?

Lord CLARENCE PAGET, in reply, said, that as the hon. Gentleman appeared to have been misinformed with respect to some of the particulars connected with the court martial on Charles Thomas, he (Lord Clarence Paget) would shortly state the circumstances of the case. It was customary, especially at the home ports, to allow the seamen, as far as possible, to go on shore after their day's work, it being understood that they were to return to their ship on the following morning; and at a given hour a boat was sent for what were called the liberty men. Now, the first point on which the hon. Gentleman seemed to be misinformed was that the liberty boat to which he referred, left the shore before the appointed time, assuming which to be the fact, the House would naturally be led to infer, that it was not Thomas's fault that he had not returned to his ship in due course. The boat, however, had not quitted the shore before the time appointed, and, according to the evidence of the sailors in her, Thomas was not down in time to go on board. He had, however, later found his way on board, and was very indignant with the boatswain who had charge of the boat, towards whom he used most violent, offensive, disgusting, and insubordinate language — language which he also made use of in reference to the captain. His offence was of so grave a nature that it was thought requisite that he should be tried by court martial. Now, the hon. Gentleman seemed to assume that Thomas had been on leave of absence for the purpose of getting married; but he had set up no such defence on his trial. On the contrary, he stated that he had been on shore to see his brother, had been drinking with him, and had, unfortunately, become intoxicated. The evidence of the sailors who were with him, however, was to the effect that he was sober when he used the language just referred to. The sentence passed by the court martial was stated perfectly accurately in the question; but he was bound to say that those tribunals, like individuals, were sometimes liable to error. They sometimes erred on the side of leniency; sometimes on that of severity. All sentences of courts martial came under the revision of the Admiralty, which not unfrequently exercised the privilege of mercy in mitigating a sentence, when in their opinion it was too harsh. He (Lord Clarence Paget) had no doubt that in this case the Admiralty would have an opportunity of mitigating the sentence; but he must be allowed to say, that if such a mitigation occurred, it would not be the consequence of the subject having been brought before that House, because nothing could be more fatal to the discipline of the navy, than that the House of Commons should be turned into a Court of Appeal from the judgments of courts martial. He hoped that the hon. Member would not move for the proceedings of this court martial, which would, under the provisions of the Naval Discipline Act, be obtainable by the prisoner at the end of three months.

Mr. **HADFIELD** said, he wished to know, whether the Admiralty could not take steps to prevent misunderstandings respecting the proceedings of courts martial, getting abroad? The matter was one on which the public mind was very sensitive.

Lord **CLARENCE PAGET** sincerely wished the Admiralty had the means of preventing misunderstandings on such subjects. And here he might refer to a question of which the right hon. Member for Kilmarnock (Mr. E. P. Bouverie) had given him notice, respecting a case where it was stated in a newspaper that a sailor had actually been ordered fifteen years' hard labour for attempting to commit suicide. There was not a word of foundation for that statement. The only way in which erroneous assertions respecting the Navy could be corrected, was by hon. Members having the goodness to draw his attention publicly to them as they occurred.

HIGHWAYS ACT.—QUESTION.

Sir **WILLIAM MILES** said, he wished to ask the Law Officers of the Crown, in the construction of the following sentence in the Schedule of the Highways Act—namely, "All questions shall be decided by a majority of votes of the members present," whether it is necessary that there should be a majority of the persons present, or that it is sufficient that there should be a majority of those who, being present, give their votes.

The **ATTORNEY GENERAL** said, in reply, that the point alluded to by the hon. Member was one on which there was a great diversity of opinion. As the clause had not yet received a judicial interpretation, he would be a bold man that would venture to express a confident opinion upon it. Nevertheless he had an opinion, and he would state it for what it was worth. It appeared to him there could be no fair doubt as to what the answer should be. It was not sufficient that there should be a majority of those who, being present, gave their votes; but there ought to be, for the purpose of constituting an effectual majority, a majority of persons present voting one way or the other.

DISTRESS IN THE COTTON DISTRICTS.

QUESTION.

Mr. **FERRAND** said, he rose to ask the First Lord of the Treasury, Whether, considering the continued severe distress in the cotton districts, and the great sufferings of the operatives from the want of remunerative employment, it is not due to them that an early morning sitting should be fixed for the Second Reading of the Public Works (Manufacturing Districts) Bill.

Mr. **C. P. VILLIERS** said, in reply, that the second reading of the Public Works (Manufacturing Districts) Bill would probably come on the first thing on Thursday evening; but he could not at present make any arrangement respecting its committal. The Government had, however, every desire to expedite the passing of the measure.

OUTRAGE AT ZANZIBAR.

QUESTION.

Mr. **STIRLING** said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether he has any information respecting an outrage said to have been perpetrated by Arabs on an English subject at Zanzibar in February last, and respecting reports lately published in the French newspapers of hostile feeling against the European residents excited in the minds of the native population of Zanzibar by certain alleged operations of British cruisers engaged in the repression of the Slave Trade?

Mr. LAYARD, in reply, said, he had referred to the French papers, and he had found in the *Journal des Debats* an account of a state of things at Zanzibar corresponding with what his hon. Friend had stated. It appeared that a meeting had been held of European residents respecting the feelings of the Arabs towards the English. The meeting was presided over by a French gentleman, and considering the source from which the information came it was somewhat suspicious. If the hon. Gentleman would refer to the papers which had been laid on the table, he would find, that while the slave trade had been repressed on the west coast of Africa, it had received an unfortunate development on the east coast, under the name of free-labour emigration. It was carried on not only by French agents, but under the French flag. The British cruisers, acting under a treaty with the Sultan of Zanzibar, had done all in their power to put an end to this infamous traffic, which appeared, from the evidence of travellers in Africa, to have produced the greatest possible misery amongst the unhappy people of the country. In districts that had formerly been inhabited by races of negroes in an advanced state of civilization when compared with those on the western coast, hundreds and even thousands of villages had been deserted, and an extent of suffering had been produced that could hardly be described. He hoped that the efforts of the British cruisers would put a stop to this state of things; but unfortunately the French merchants at Zanzibar derived large profits from the traffic, and they were very much averse to have it interfered with. He trusted, however, that when the French Government were informed of the facts, the Emperor, who had expressed his determination to put down the slave trade, would cause something to be done to remedy the evil.

Mr. STIRLING said, he wished to know if his hon. Friend had any information from the British Consuls?

Mr. LAYARD said, he had none beyond what he had stated. The hon. Gentleman subsequently rose, and said that he wished to correct any misconception that might be entertained as to the meaning of his remarks on the slave trade on the east coast of Africa. What he meant to say was, that a trade which was virtually a slave trade was being carried on. A trade in what were called "free labourers" was being carried on under the protection of France, but the way in which those free labourers was obtained was something very much resembling a slave trade. By the Convention with France the slave trade was put an end to.

THE PATRIOTIC FUND.

QUESTION.

Mr. CONINGHAM said, he would beg to ask the right hon. Member for Tyrone, What is the salary and the emoluments of Captain Fishbourne, one of the Honorary Secretaries of the Patriotic Fund?

Mr. CORRY said, he was afraid he must ask leave to preface his answer by explaining why Captain Fishbourne, although in receipt of a salary, was designated Honorary Secretary of the Royal Patriotic Fund. At the time when the Commission issued it was not supposed that the Fund would reach a large amount, or that the time occupied in its distribution would extend over a long period, and consequently the establishment in connection with the Commission was organized merely on a temporary footing. Under these circumstances it was decided that the office of Secretary should be an honorary appointment; and Captain Fishbourne, having been strongly recommended by Sir James Graham, then First Lord of the Admiralty, his name was inserted in the Royal Commission along with that of Colonel Lefroy as one of the joint Honorary Secretaries. Colonel Lefroy shortly after received an appointment at the War Office, and ceased to act, and Captain Fishbourne thus became the sole acting Secretary of the Royal Commission. He entered on his arduous and responsible duties in the year 1854, and continued to serve as Honorary Secretary, without any salary, until 1860—that was, for a period of upwards of five years. It was true that during this period he received an annual allowance at first fixed at one hundred and fifty guineas, but afterwards raised to £200, but this was not a remuneration for service performed, but merely to indemnify him for the additional expenses imposed on him by the necessity of living in London instead of in the country, where he had previously resided; and considering that he was a married man with a family, he did not think the amount would be considered extravagant. But it turned out that the munificence of the public, which placed a sum amounting to little short of £1,500,000 at the disposal of the Commissioners, enabled them to provide not only for the immediate wants of widows and orphans of the Russian war, but also to provide permanent allowances for widows and infirm children, as well as to appropriate large sums towards the endowment of schools for the education of the orphans of soldiers, sailors, and marines. Under these circumstances, the Fund ceased to be of a temporary character, and the permanent services of a Secretary were consequently required. Captain Fishbourne could not continue to act in that capacity without foregoing all chance of promotion and employment in his profession, in which he had as fair a claim to advancement as any other Officer on the list of Captains of the Royal Navy; and he, consequently, applied to be placed on the same footing as the paid Secretaries of other Royal Commissions. It was not, however, within the competence of the Royal Commissioners to comply with this request, because his position was defined as Honorary Secretary in the Royal Commission, which they had no power to alter; and they consequently decided on securing his services by appointing him paid Member of the Executive and Finance Committee; and it was in that capacity, and not as Honorary Secretary, that he received payment for his services. The amount of his salary was fixed by the Royal Commissioners at £600 a year, and to remove all doubt, he (Mr. Corry) might add that that salary was not in addition to, but inclusive of, his previous allowance of £200 a year. The duties which Captain Fishbourne performed in return for that salary required his daily attendance during the usual hours of official business at the Office, except when absent on other duties, such as visiting schools. Being at the head of the Office, he was responsible for the manner in which its business was conducted, and no money could be disbursed without his signature and sanction, and the present annual disbursement amounted to nearly £78,000. The hon. Gentleman had further asked, "What is the amount of Captain Fishbourne's emoluments?" His answer was, that he was not in the receipt of any emolument but his salary of £600 per year. He was, according to invariable practice, allowed his travelling expenses, and the total amount of these for eight years and a half had been only £201, being at the rate of less than £25 a year.

CAPTAIN FOWKE'S DESIGNS FOR THE EXHIBITION BUILDING.—QUESTION.

MR. BAILLIE COCHRANE said, he would beg to ask the right hon. Gentleman the First Commissioner of Works, Whether any engagement has been made by Her Majesty's Government—whether any agreement has been entered into with Captain Fowke, to pay him for those designs which had been exhibited by him at the Exhibition at the National Gallery. There were in that Exhibition two façades extending over the whole space of the Exhibition Building. He wished to know whether those designs have been made at Captain Fowke's expense, or whether there is any understanding on the part of the Government to remunerate him? Also, whether, if there is to be any remuneration, and the sum is not included in the Vote, Captain Fowke will be the loser by the amount of time he has devoted to the preparation of these designs?

MR. COWPER said, in reply, that as far as his Department was concerned, he was not aware of any arrangement with Captain Fowke. His impression was that Captain Fowke, having designed the Exhibition Building for a temporary purpose, wished to show how, in his idea, that building might be made of an ornamental character. As far as he (Mr. Cowper) knew, Captain Fowke had volunteered his views with regard to these architectural plans.

MR. BAILLIE COCHRANE: Then I understand, if the Vote should not be carried, Captain Fowke will receive no remuneration?

MR. ROEBUCK: But the Vote is carried.

STANDARDS OF WEIGHTS AND MEASURES.—QUESTION.

MR. DOULTON said, he wished to ask the Secretary to the Treasury, Whether any steps have been taken to test the accuracy of the Standards of Weights and Measures deposited in the Exchequer in the year 1825?

MR. PEEL said, in reply, that the secondary standards of weights and measures were used as local standards. The secondary standards of weight and length had been in use since the year 1835, and that of capacity since 1834. There was no reason to suppose that they were not accurate copies of the primary standards, but there was no power given to the Government to re-verify them. It might be advantageous that an occasional re-verification should be made, but a legislative measure would be necessary for that purpose.

BRIDE AND BLACKWATER RIVERS.

RESOLUTION.

MR. BLAKE said, he wished to call the attention of the House to the Reports of the officers of the Admiralty and the Board of Works in Ireland, regarding the serious obstruction caused to navigation in the rivers Bride and Blackwater, in the county of Waterford, by stake and head weirs. It appeared that a considerable number of weirs had been placed in those rivers, rendering them almost impassable; and that with regard to them the Admiralty and the Board of Works in Ireland acted very unsatisfactorily, each shifting the responsibility upon the other. The matter had at last got into the hands of the Board of Trade, and he trusted that some redress would at length be obtained by the persons who complained of the obstruction caused by the weirs. He should conclude by moving the Resolution of which he had given notice.

Motion made, and Question proposed,

"That it is the opinion of this House, that it is the duty of the Government to carry the Law into effect by immediately removing Stake and Head Weirs in the Rivers Bride and Blackwater, in the county of Waterford.—(*Mr. Blake.*)

MR. PEEL said, that the reports to which the hon. Gentleman had referred showed that the navigation of these two rivers was seriously interfered with by the erection of weirs. But when he came to consider to what the delay in the removal of those obstructions was owing, he found it did not arise from any apathy on the part of the administrators of the law, or from the bandying of responsibility between the Admiralty and the Commissioners of Public Works in Ireland, but from the incomplete and inconsistent powers given by the Act of Parliament. There were many prohibitions in the acts, and no doubt many of the weirs were illegal, but it was not by any means easy to apply a remedy. Many exceptions were granted by the law itself; and the Commissioners of Public Works had no power to take the initiative in the removal of the weirs. It was necessary that a complaint should first be laid before them before they could interfere. Somebody else, in short, must set the law in motion, but up to a recent period not a single complaint had been made. It was quite true that power was given to the Commissioners to remove all weirs where they appeared to obstruct the navigation of any river; but the reason why they had not interfered was because they were of opinion that they were conservators of the fisheries rather than of the navigation of the rivers. They had looked upon the Board of Admiralty rather than upon the Board of Public Works as the conservators of the navigation. Nor did they consider that they had power sufficient to enable them to interfere successfully. There was no right of appeal under the Act of Parliament. Moreover, the powers of the Board were on the point of ceasing, and were about to be transferred to the new Commissioners of Fisheries. He therefore recommended the hon. Gentleman to wait till these changes had been made before he proceeded with the subject.

MR. M'MAHON moved, at the end of the Motion, to add, "and all other encroachments on the property of the Crown and the rights of the public in the tidal waters and shores of Ireland." He said that all the rivers of Ireland were interrupted by weirs which parties had no right to place there. They wanted no Commissioners and no Act of Parliament. The Attorney General was all they wanted. In England, if anybody intruded on the seashore, there was an information filed at once. In Ireland, if an intrusion was made for the public benefit, as for a railway or the like, the Board came and removed the intrusion; but if it were by a private person, it seemed there was no remedy whatever. The Attorney General ought to file an information at once against the offenders. The weirs had been erected under the pretence of the Act of 1842, and now that they had been erected it would no doubt be pretended that a Charter granted by Charles I or Charles II sanctioned their erection. The longer they were permitted to remain the greater pretence would be given for pleading before a jury that a charter had been granted.

Amendment proposed,

At the end of the Question, to add the words "and all other encroachments on the property of the Crown and the rights of the public in the tidal waters and shores of Ireland." — (*Mr. M'Mahon.*)

Question proposed, "That those words be there added."

Mr. O'HAGAN said, that the Motion seemed to him very like a truism. It looked like a declaration that the Government ought to enforce the law; and there required no Motion to inform the Government of that. The question was, whether or not the Government had failed to do their duty. From the statements that had been made by the hon. and learned Member, he did not see that any evidence had been brought forward of any neglect of duty on the part of the Government. As far as he had been informed, many of the weirs on the Bride and Blackwater were as much legal weirs as any in the empire. It was true that a number of cases of alleged illegality had been brought before his notice. But the answer he had given was, "Bring me sufficient evidence of the illegality, and I will prosecute. But if you do not, I must decline to do so." If sufficient evidence had been brought, he should have felt it his duty to proceed by a writ of intrusion in the Court of Exchequer. But nothing had been said that evening to show that the Government had been guilty of any dereliction of duty.

Colonel FRENCH said, the observations of the Secretary to the Treasury and of the hon. and learned Attorney General did not quite accord. There were three branches of the Executive in Ireland —the Admiralty, the Commissioners of Works, and the Commissioners of Fisheries—who were charged with the duty of abating these obstructions. Each cast the responsibility upon the other, and between them the duty was neglected.

Mr. LONGFIELD said, that the case before the House was a case of great hardship. The Reports showed that no less than three branches of the executive Government had for several years been guilty of breaches of duty. That was practically a denial of the rights of the poor. Under the circumstances he would, nevertheless, not recommend his hon. Friend to press his Motion.

Mr. BLAKE said, that resting upon the assurance of the right hon. Gentleman (Mr. Peel), he would not press his Motion.

Amendment and Motion, by leave, *withdrawn.*

BALLOT.—LEAVE.

Mr. H. BERKELEY rose to ask leave to bring in a Bill to cause the Votes of Parliamentary Electors to be taken by way of Ballot. Until very lately he thought he should not have had any opposition from his own side of the House, because, until within a few moments of his rising, he saw an array of his own friends—stanch friends of the Ballot—sitting upon the Treasury benches, and those who were usually opposed to the Question had not arrived. However he was disagreeably disappointed. He now saw the noble Lord opposite (Viscount Palmerston), whom it was always so difficult to oppose, notwithstanding the right one might have upon his side. He also saw the right hon. Gentleman the Secretary for the Home Department in his place. He ventured, nevertheless, to lay this question once more before the House; and in doing so, he must be allowed to call to the recollection of hon. Members that soon after the Reform Bill had become the law of the land, some of the most able men in England demurred to certain parts of it. Amongst them were the late Lord Macaulay, Mr. Grote, Lord Durham, Mr. Charles Buller, and many others. Those eminent men considered the Reform Bill was defective, because, in the first place, certain close pocket boroughs were allowed to remain, which were a disgrace to free institutions; and, in the second place, they considered that the electors had a right to protection at the polling-places. Mr. Grote embraced the latter question, and brought it before Parliament in a series of the most logical argumentative speeches, remarkable for their brilliancy of truth, and also remarkable because they were never answered, and were, as he believed, unanswerable. On the retirement of Mr. Grote from Parliament, Sir Henry Ward, at the suggestion he believed, of Mr. Grote, took up the question of the Ballot, and he remembered on that occasion he chose him (Mr. Berkeley), though unworthy, to be his seconder —an honour paid him, no doubt, more on account of the power of his constituency than of any ability of his own. When Sir Henry Ward retired, he advised him (Mr. Berkeley) to take up the question, and he agreed with Mr. Grote that the question ought to be agitated—he thought, as a matter of justice to the electors, it was a question which should be annually brought before Parliament. He therefore endeavoured to obtain the assistance of his hon. Friends, and proposed that they should take up the matter. And when he found that no man was willing to interfere between him and the question, he took it up himself; and this was the fifteenth time he had had the honour of bringing forward a substantive Motion on the subject. It seemed to him that the question ought to be brought forward. There was a great grievance resting upon the country; and if nobody was prepared to state that grievance, the question might fall through, and at the time when the people were prepared to assert their rights, and to call on the Government of the day to redress the grievance, the good fight would have to be fought over again. At the present moment, it was not too much to say that the question stood, as regarded argument, upon an unassailable foundation. It had been assailed by the greatest talents that that House possessed from time to time, from year to year, no matter which party might possess the Government; and if any one would dispassionately take up *Hansard*, he would see that the attacks made had all failed. He now brought forward the question under very adverse circumstances, it having been so often argued; but he would pursue the course he had pursued hitherto. He would not attempt to bring forward any new arguments, even if he were ingenious enough to find any; but he should be content to dispose of those arguments which, from time to time, had been brought forward against the question, and merely confine himself to the defensive. He should leave the question to the consideration of the House and the country. ["Divide, divide!"]. There were but two theoretical points which he should touch upon. One objection against the Ballot was, that it was un-English and unmanly. [MR BENTINCK: Hear, hear!] Though the hon. Member for Norfolk cheered that sentiment—if he (Mr. Berkeley) could succeed in convincing him that the Ballot was the mode—the usual mode—of taking votes in all elections throughout England, and that open voting was an exception to that rule, he thought he would be able to do away with this objection. He held in his hand the list of public bodies, institutions, and companies using the Ballot; and he thought that that would be a convincing proof that the Ballot was not only not un-English, but that that was the rule, and open voting was the exception. Now, amongst those who were elected by Ballot, were the vestrymen and auditors of the vestries of London. Of institutions using it, he might name the Royal Astronomical Society, the Society of Antiquaries, the Royal Society, the Linnæan Society, Christ's Hospital, and Dulwich College. The Bank of England and the Charterhouse both acknowledged the principles of the ballot. So also did the following clubs—namely, the Guards, the Carlton, the Senior and the Junior United Service, the Travellers, the Oxford and Cambridge, the Clarendon, the University, Brooks's, White's, Boodles', the Wyndham, and the Union. The benefit societies, numbering 700,000 members, elected their officers by ballot. The Freemasons' Society elected the master and treasurer of every subordinate lodge by ballot. Nineteen out of twenty of the friendly societies used the ballot in the election of their officers. The Volunteer corps, when permitted to elect their officers, did so by means of the ballot. He now came to ecclesiastical bodies. He would say nothing about the ancient Established Church of the country — the Roman Catholic Church—because its practice might not apply to this case; but it was well known that all the ecclesiastical elections of the Roman Catholic Church, from the Sovereign Pontiff downwards, took place by ballot. The Society for the Promotion of Christian Knowledge, incorporated in 1698, was very strict in electing its officers by ballot. That Society comprised some of the most distinguished men on either side of the House, and the Archbishop of Canterbury for the time being was President, and all the Bishops were officers or members; and they voted by ballot. He would ask them to observe for a moment how that society illustrated the utility of the ballot. They all knew that the Church at that moment was torn with dissension by the *Essays and Reviews*. ["Divide, divide!"] If any young clergyman should come up from Oxford, being a pupil of an Essayist or Reviewer, and should state his desire to vote for a person belonging to that class, he would be received with indignation, and would be considered little better than a heretic. Now, the ballot gave the young clergy the free use of their vote; and if they acknowledged that in a society like that the ballot was useful, why, he asked, should they not extend the same protection to the elector at the poll, who had so much need of it? Again, the Church Missionary Society used the ballot; the Wesleyan Methodists, the largest body of Protestant Dissenters in Great Britain, also used it. So did the United Methodist Free Churches and the Churches of the Baptist denomination. He would wind up the account of those elections with the fact that the Bishop of Canada was elected by ballot by the Synod of Quebec; after the election it was also stated that the *Te Deum* was sung, and the Synod separated. He had now shown that the ballot was adopted by almost every respectable body throughout England, and he must therefore say that the statement of the ballot being un-English was not merely a mistake or a fallacy, but it almost amounted to an untruth. He had one more theoretical point to answer, and that was a theory in which the noble Lord the Member for Tiverton (Viscount Palmerston) always indulged. The noble Viscount made use of that old maxim which nobody disputed—that all that we possessed, whether acquired or a gift by nature, we held for the benefit of mankind; and he applied that general axiom to the votes of electors, stating that the vote must not be given in secret, because the franchise was a trust bestowed upon the electors to be used for the benefit of the non-electors; and, said the noble Lord—he (Mr. Berkeley) now using his own words—"The elector must bear the responsibility, whether for good or for evil." Now, that was a very bold proposition—"for good or for evil;" what did that mean? Surely, if a man were found to be a faulty trustee, he fell under the indignation of the man of whom he held the trust; and if he were a good trustee, he deserved praise. The noble Lord's argument therefore was antagonistic to all the great maxims laid down by our first lawyers and statesmen. Even Lord Russell, who participated in the error of the noble Viscount, used language actually contradicting the position which he upheld. Lord Russell said—

> "Our most ancient statutes, our greatest constitutional laws, our most established maxims, all laid down the position that the people of England ought to elect their representatives freely and indifferently."

The noble Viscount, however, said, that the electors were the trustees of the non-electors, and they must have open voting, and be content to bear the responsibility, whether for good or for evil. Now, if that were not directly contradictory of the maxim laid down by Lord Russell, he (Mr. Berkeley) did not know what was. Again, Lord Chief Justice Holt, who was strong upon the subject, said—

> "It is a great privilege to vote for those who make laws which govern life and property—a privilege so important that it may not be deputed to another."

But the noble Lord deputed this privilege to the non-electors. He took it from the elector, and placed the non-elector over him. The noble Viscount said the elector was answerable to the non-elector, and bore the responsibility. There was another authority who delivered his opinions in good strong terse English. He meant Lord Chesterfield. In a debate in 1738, on the interference of Government in the election of Scotch Peers, he said—

> "Every man who is allowed a vote in any election is the law-preserver, capable of determining within himself who is the most proper person for that office to which he elects. If the elector be dictated to in his voting, either by money, by threats, or by promises, it is the person so dictating who is properly the elector, and not the voter himself, who is made a tool of. Therefore it has always been deemed to be a maxim of the common law of England that elections should be fairly and regularly made without any interference whatever."

Lord Chesterfield, in this constitutional speech, was directly antagonistic to the noble Viscount and Earl Russell, who held the principle that the elector was to be answerable to the non-elector. One more authority — the last, certainly, upon his (Mr. Berkeley's) list. Edmund Burke, than whom no greater authority could be found as to the privileges and rights of the electoral body, when speaking of Parliamentary elections, said that his (the elector's) unbiassed opinion, his mature judgment, his enlightened conscience, ought not to yield to any man living; but the noble Viscount said that the elector's opinions should be biassed by the non-electors—that his mature judgment should yield to the non-elector, and that his conscience should be smothered in the commands of those who had no votes. But let him (Mr. Berkeley) deal more closely with the subject—let him ask the question—Since the electors were, as the noble Lord said, the trustees of the non-electors, and were answerable to the latter, to what body of the non-electors were they answerable? Because it was obvious that in a contested election the electors were divided into as many sections as there were candidates; and if the elector obeyed one section of the non-electors, he must disobey the others. Then he thought he had a right, since it was said that the decision of the elector did not lie within his own breast, to ask to what section of the non-electors did the right of discretion belong? And, further, let him (Mr. Berkeley) supppose that an elector was desirous of voting for a Tory, and that his neighbours, non-electors, desired him to vote for a Whig, which was he to obey — his own conscience or the dictates of the non-electors? Now he should like an answer to that question. He would show how the answer would tell in both ways. Suppose it were said that the electors must obey the command of the non-electors, what state of things was achieved? It was a virtual disfranchisement of the elector, and an enfranchisement of the non-elector. Could absurdity go further? It reminded him of the passage in *The Tempest*—"Stephano shall be king of this island, and I will be viceroy over him." The noble Lord said the elector should continue to have his vote, but the non-elector should be viceroy over him. Having attempted to upset the theory, he would proceed to show how the system acted in practice. He had in his hand a very strange document founded on the noble Lord's theory. The non-electors of the Borough of Rochdale formed themselves into a society, and they said that Lord Russell had declared that the elective franchise was a trust given to the electors for the benefit of the non-electors. Now how was this trust discharged? They said, "We will have the poll book printed with the vote of every man, and we shall then know who votes one way and who votes the other." The preface to the poll-book was very curious. It was published by order of the non-electors' committee, and they said—

"The committee of the non-electors' association present to the unenfranchised portion of the inhabitants of the borough a list of the votes polled at the recent Parliamentary contest. The non-electors will read, mark, and learn, who supported their claims to the suffrage, and who have not recognized that right, and will not fail to bring their influence to bear on the electors, to show them that the interests of the electors and non-electors are really identical, and that both are in a wrong position under the present franchise—the one refusing to give, and the other unable to obtain justice. The theory is that the £10 voters have votes in trust as well as in their own right."

This vindicated the practice of publishing lists of voters until the time should come when every man could vote in his own right under the protection of the ballot. Now, if this was not a piece of exclusive dealing, got up under the sanction of the opinion of the noble Lord and Earl Russell, he should like to know what was. But that was not the only instance of the appliance of the noble Lord's doctrine to the rights of electors. At Cork, some years ago, there was a very severe election contest. The candidates were Murphy, Fagan, and Chatterton. The priests were extremely active. They said the vote was a trust held in trust for all who were not voters. It was the duty of the non-electors to watch the poll, and those who voted for Murphy and Fagan were good trustees, and those who voted for Chatterton were faithless and bad trustees. The consequence of telling an Irishman that one man was good and that another man was bad, was that he immediately tapped the good man on the shoulder and gave him a glass of whisky, and knocked the bad man down. That he conceived to be the Irish practice. At least, it was so some years ago. He had it on the evidence of Mr. Chatterton himself, that the hotel was more like an hospital after a battle, with the wounded and bleeding lying about in all directions, than a place of entertainment. That was the effect of the opinions of the noble Lord and Lord Russell as to the vote being a trust held for the benefit of the non-electors. He would just call the attention of the House to the evidence of Daniel Creane, who said or swore that he heard Father Beyney at mass one Sunday tell the people that the voters held the franchise only as a trust for the rest, and therefore he advised them to call on their neighbours and ask them to vote for Fagan and Murphy, and to oblige them so to vote whether they would or not. He then gave evidence as to the number of promises given which were afterwards broken, and the votes recorded the other way, and said the people told him that their only reason for breaking their word was that they had no other means of saving themselves from being murdered. If the doctrine of the noble Lord was right, it certainly was very inconvenient if it produced such results; but he (Mr. Berkeley) asserted that the doctrine was unconstitutional and contrary to the opinions of the greatest men, and mischievous and bloody in practice. He had often expressed an opinion that those hon. Members who united with him in advocating the ballot would do well to bring before the House instances of malversation of the franchise. That was the best argument that could be used. The practice which too often prevailed was disgraceful to a civilized country. If hon. Gentlemen would confine themselves to illustrations of such malversation, they would materially assist those who might bring forward the question at some future time. There would then be a record in *Hansard* which would render the task of those who followed him comparatively easy—for the ballot was founded on the principle of right and justice, and must eventually be carried. He hoped the House would allow him to carry out in a practical shape the advice he had just given to hon. Members, and to lay before them a case or two out of many instances of malversation of the franchise which had recently occurred. Amongst the elections which had occurred since he last brought the question before the House were those of Southampton, East Kent, Devonport, Totnes, and Lisburn. There was likewise a very pretty specimen of an election at New Ross recorded in the papers of that morning, in which it appeared that two or three Roman Catholic priests were put into a boxing attitude before a crowd of women, and it appeared that they got considerably the worst of it. An examination of the details of these elections would bear him out in saying that some change was required. The first case he would mention was that of Devonport. It was the custom of the Society of which he was the chairman to appoint agents without reference to party to watch the proceedings at elections, to receive reports from them, and then to judge of the necessity of giving them publicity. In answer to questions put to the agents at Devonport they said, there was no evidence of direct bribery, but that treating there certainly was to some extent; that the Corrupt Practices at Elections Act appeared to be only so much waste paper. In reply to the question, "Was the election screw used?" the answer was, "Tremendously, and chiefly by the hangers-on of the Government." They were next asked, if the votes had been given by ballot, what would have been the effect on the election? The reply was, that Ferrand's majority would have been increased considerably. It was stated that probably more than 300 of the electors had abstained from voting from fear of the consequences. The electors at Devonport had always desired the ballot, and it was a remarkable fact that the same desire was manifested in all the other Government boroughs. From Devonport he would turn to the remarkable borough of Totnes. In *Dod's Parliamentary Companion* Totnes was described as being under the fostering wing of the Duke of Somerset. He knew not how that might be, but would mention a few cases which had occurred at the last election. Mr. Lee, the seconder of Mr. Dent, the Conservative candidate, said, that as far as he could reckon, four-fifths of the electors were in favour of Dent, and that one-fifth of the Duke's tenants would support him. Mr. Dent stated that he had canvassed almost every vote, and was quite satisfied with the result. Then came an address from Mr. Dent, commencing—

> "I abhor the ballot. In my opinion it would be unworthy of an Englishman to exercise the highest of all privileges and at the same time to shrink from public avowal of their responsibility."

He seemed to have copied the noble Lord's words. Now, what occurred the next day? He said—

> "I regret to find myself compelled, by a regard to your interests, to withdraw from the contest at the eleventh hour. After the nomination and show of hands yesterday, a certain territorial influence, which had been looming in the background, was boldly brought to the front. From that moment the election was lost, and as I was advised that I could not go to the poll without involving many of my humble supporters in instant ruin and compromising the future development of Conservative strength, I resolved, at whatever sacrifice of my own inclinations, to withdraw from the struggle."

The address and the speech were strange commentaries, the one upon the other. And now what occurred on the other side of the question? Mr. Seymour, at the nomination, said he had heard a great deal about intimidation and coercion, but he had found everywhere proofs within the borough that the electors were intimidated and coerced on the other side, and he saw men in the crowd who were themselves Liberals, but who were unable to vote with their party because of the influence brought to bear upon them. The electors were kept in folds like sheep, ready to be taken to the poll, and every night many of them were carried out of the borough that the Conservatives might keep them in their power till the day of election. The agents of the Ballot Society reported that bribery and intimidation were in great force, and that one party was just as bad as the other. It was stated at the time in *The Standard* newspaper—

> "It is confidently expected that the Conservative candidate will win, notwithstanding the unconstitutional influence of the Duke of Somerset, which on this occasion has been exalted to a pitch

which has given rise to the by-word that the Duke has surpassed himself. If the Duke's man, as the Duke's local agents call him, does not win on the present occasion, we can only say he ought to do so.

"P.S.—The Duke's man won by eight votes."

That was a picture of an English borough. He did not say there was one word of truth in the charge against the Duke of Somerset; but if it were true that he had exercised all that power, the doctrine of the noble Lord would exonerate him, for the Duke of Somerset was a non-elector, and had a right to dictate to his trustees. Why should not the Duke adopt the opinion of the noble Lord as to his right over his trustees, or, following the example of another Duke, say, "Have I not a right to do what I like with my own?" He now came to the East Kent election. When the screw was put on most tremendously, one man stated that that screw was put on him ferociously by his landlord. He wished to vote for Dering, but his landlord desired him to vote for Knatchbull. The result was that he received notice to quit; but his landlord was cunning, and having the Corrupt Practices Act on his mind, he said, "I must take care—I must not say a word as to why I turn the tenant out; but I shall tell him I did not turn him out for political purposes;" and that was sufficient to put aside that glorious Act of Parliament. In another case, an East Kent elector, by the advice of his lawyer, went with a witness to his landlord with a view to draw from him a declaration that he was to be expelled from his holding on account of the course he had pursued at the recent election. "I am very sorry," said the man, "that you should think it necessary to turn me out of my cottage on account of my vote." "Well," said the landlord, who saw through the object of the visit, "who told you that?" "You were very angry," said the man; "and as I have always paid my rent, I cannot see what other reason you can have except the manner in which I voted." "Now, mark me," said the landlord, "I have a great objection to men with Roman noses. You, Sir, have got a nose like a reaping hook, and I mean in future to have no tenants but those who have small noses." The tenant informed the lawyer of what had occurred, and the lawyer said, "There is no redress; you must consider yourself turned out on account of the turn of your nose." Thanking the House for the attention they had shown him, he would remark, that since he last addressed the House the ballot had been bearing excellent fruit in every part of the world—even in America. It was looked upon there as the support of respectability against an overweening rank democracy. He would quote a paper adverse and impertinently personal to himself, and that was *The Times*. And what said *The Times?*—at least, what said *The Times* Correspondent? He always found that the faithful correspondents and reporters of that paper were in opposition to those gentlemen who wrote the leading articles. Well, what said the Correspondent of that paper? "That the only hope of upsetting Abraham Lincoln and his crew was the ballot-box." He did not say that the ballot was perfect in America; but it was the best institution that America possessed at present. Now as to France. We were told the other day that the French Government were preparing the ballot-box with great care, as *The Times* said, "with excellent care;" and then it added with a sneer, "Of what use is the ballot? It will be under the power of an autocrat, and will therefore be utterly useless." He was not prepared to say "No" to that, for an autocrat could override everything. But what happened? The ballot-box defeated the Government, and returned Members in their very teeth. He held in his hand a letter from M. Simon, who had been returned for one of the *arrondissements* of Paris. The Ballot Society had asked him his opinion relative to the operation of the ballot? This gentleman *The Times* described as a moderate politician and an able and honest man. The first question was this—

"The enemies of secret voting in England are accustomed to refer to secret voting as used in France under the decree of February 1852, as an institution hostile to public liberty."

The answer was—

"The ballot has always been considered in France as the shield and guardian of public liberty. After the *coup d'état* of 1851 it was demanded that there should be open voting. The nation, preferring to give a vote of absolution to the author of the *coup d'état*, would not give up the secret ballot, and the Government yielded."

In reply to another question, M. Simon said he thought the opposition candidates in Paris might have been elected by open voting by a slight majority; but that in the *communes* they certainly would have been defeated. France, then, under adverse circumstances, was favourable to the ballot. America looked to the ballot for protection. And in Australia, while reviewing their electoral constitution, and very properly, as he thought, deciding that electors should be three months resident, and able to read and write, not a man was to be found who spoke of the ballot as faulty. On the contrary, the whole of them rejoiced in the ballot as one of the most beneficial measures they ever had in Australia. He begged leave to hand in his Motion; and although he had no expectation that the House, would allow him to introduce the Bill, he should sit down perfectly satisfied that the foundation of the perfect structure of the ballot had been laid in the House.

Mr. AYRTON said, he rose to second the Motion. He felt great pleasure in doing so, and he entirely adhered to the opinions he had expressed on former occasions. He never heard any answer to the admirable speeches annually made by his hon. Friend on the question. The noble Lord at the head of the Government was the only man who had attempted to answer them, but he always failed in doing so.

Motion made, and Question proposed,

"That leave be given to bring in a Bill to cause the Votes of Parliamentary Electors to be taken by way of Ballot."—(*Mr. Henry Berkeley.*)

The LORD MAYOR (Mr. Alderman Rose) said, he rose to speak on the subject with great reluctance, especially as he understood that the discussion would not be carried on; but he felt that the arguments which had been addressed to the House required a protest against the fallacies uttered in favour of the measure. The cases of France, America, and Australia which had been cited really tended strongly against the hon. Gentleman's argument instead of being in its favour. In France the Emperor could not have been elected except through the ballot-box. In America secret voting had driven the leading minds out of the Government, and they had no men to guide the people out of their present difficulties. That was the effect of the ballot. He thought the United States was a standing warning to this country; and, in fact, that which had been going on there had caused a reaction in this country. The next case referred to by the hon. Member was that of Australia. Now, Australia was an example to the world to avoid and eschew the ballot-box. There men got to power to carry out some great scheme for their own aggrandisement; and when they had accomplished this, they went out of power again. The hon. Member said that the elector was entitled to the protection of the ballot-box; but the elector was the representative of the non-elector, and, that being so, he was no more entitled to the protection which the hon. Member claimed for him than were the Members of that House when discharging their Parliamentary duties. He thanked God that in the House of Commons the Members of Parliament had an array of reporters over their heads, and that publicity was given to their acts in that assembly. While that publicity remained, this country would maintain her present position. As soon as she lost it, she would sink to that dead level to which France and America had already come. The arguments against the ballot might be carried on *ad infinitum,* and it appeared to him that there was no argument on the other side. The hon. Member had alluded to the Southampton election. That was as open and as constitutional a fight as ever come off in this country. The men there cared no more for the political opinions of their masters than they did for those of any other individuals in the community; but it was not against the influence of the masters that they had chiefly to contend, because they had been oppressed for twenty years by the iron heel of Democracy. They had, however, indicated in his person their right to elect the candidate of their choice; and, in doing so, they had spurned a thraldom under which there had been a long struggle to place them.

Viscount PALMERSTON: Sir, I will not detain the House for more than a very few moments, but I should be unwilling that my hon. Friend (Mr. Berkeley) should go to a division under the impression that he had convinced me by the mere assertion, which he has so frequently made, that all the arguments which I used against his Motion on former occasions have been answered, and are worth nothing at all. My hon. Friend, like other great performers, has an annual benefit; and though I am afraid he will not draw a great deal this time, still there it is, and I do not in the least deprecate it. But my hon. Friend, with great simplicity and frankness, said he had tried all over the House to find some other person who would undertake to moot this question, and that he had not succeeded—such was the general opinion, either of the merits of the question or its chances of success, that having knocked at every door, he was obliged to undertake the task himself. So much for his admission as to the value of the question in the minds of the Members of this House.

Then my hon. Friend stated, that though he had frequently had a great number of amateur supporters, yet, somehow or other, every Government that was responsible for the conduct of affairs opposed the Motion which he made. Well, that, I think, indicates *primâ facie* that there must be some value in the objections urged against his proposition. My hon. Friend seems to me to place the whole thing on a wrong foundation; for in his arguments in favour of the ballot he appears to forget what is the vital principle—I may say, the breath of life—of the British Constitution—namely, public opinion and public responsibility. My hon. Friend quotes a great number of private societies which use the ballot in the election of their members. That has nothing to do with the question—it has nothing whatever to do with the matter, and his illustration is totally foreign to his argument. Those private societies have no public responsibility; those clubs are not answerable to the country for the election of their members. They are guided solely by the consideration, who is likely to prove an agreeable member of society—whom it may be pleasant or whom it may be unpleasant to meet in the club-room; and therefore the argument founded by my hon. Friend on the practice of those societies is altogether inapplicable to the question under consideration. In clubs are there reporters present to make known in detail to the world the proceedings of the members? If there were, the case of my hon. Friend might be somewhat advanced by an illustration drawn from the clubs; but as it is the clubs do not help him. What would be the effect of the ballot in respect of public opinion and public responsibility? What is public opinion? The avowed opinion of the aggregate of the members of the community; but, according to my hon. Friend, an elector is to have no openly-expressed opinion, not only on the day of the election, but all through his life; because, if he ventures to express his opinion in conversation with his friends or neighbours, the ballot is of no use to conceal his political sentiments. If a man is known to be a zealous Tory, every one may legitimately conclude, when he goes to the ballot-box, that he does not vote for a Liberal; and so it is *vice versâ*. Why, Sir, if you have the ballot, the elector must conceal his opinion even from his wife and family; and is that a position you would wish any Englishman to be placed in? To nullify public opinion by crushing it in each individual—that, I say, is contrary to the very spirit and essence of the British Constitution. The mere sneaking to the hustings with a paper in your hand, and poking it into a hole, hoping that no one will see how your wrist turns, that is not secret voting, unless you secure that all a man's political opinions, partialities, and preferences shall be confined within his own breast. The way in which a man votes will be known by the political opinions which he expresses. Then I say, that if you divest a man of the responsibility to which he ought to be liable in respect of his public trust, you quash public opinion, and extinguish one of the essential principles of the British Constitution, and establish a principle which is unconstitutional and un-English. My hon. Friend quotes other countries. He refers to America, that country which we have so often heard quoted as an example in this House. But does not every one know that voting is not secret in America? Certainly, they vote there by means of pieces of paper for their governors, judges, and other public functionaries; but their vote is known, it is no more secret than ours. They put their tickets in their hats, and every one knows whom a man votes for as well as we do here. I believe there is one State in which there is an attempt at secret voting; but, generally, the ballot in the United States is no more secret voting than is the open polling in this country. I am astonished at the arguments which those who approve the ballot make use of to show that it is a thing which this House ought to wish to establish; but I am happy to say, that so far from my hon. Friend having made converts to his cause, I believe there is a great and recent instance of conversion the other way. There is in this town a society which has adopted a name which is a guarantee for its liberal and advanced opinions—it is called the Reform Club. Well, I am told—it is reported in town, and hon. Members and others will say whether the rumour is correct—that this society has recently been converted to the opinion opposed to that of my hon. Friend on the subject of the ballot. I am informed, that in the first place, whereas up to a recent time the mode of election in that club was similar to the mode of election in other clubs—namely, by ballot—the members have upon deliberate discussion, and also upon the advice of a very eminent Reformer, the hon. Member for

Birmingham decided, after full consideration, that election by ballot is not a proper mode of election; and I am told that, in the next place, they have gone further, and imparted to the club the resemblance of a nomination borough, for they have invested a select committee with the choice of the persons who are to be admitted members. I am right in saying that they have gone further than to abolish the ballot, for upon the advice of my hon. Friend the Member for Birmingham, they have not only abolished the ballot—but, instead of reverting to open voting, which would seem to be the legitimate alternative, they have invested a select committee with the task of admitting members. I shall not detain the House; but I assure my hon. Friend that my opinions are rather confirmed than otherwise by the arguments which he has adduced. The mere assertions which he has indulged in, that his arguments are unanswerable, while those of his opponents are worth nothing at all—all those assertions have no effect on my mind, and I hope they will have no effect upon the minds of others. I hope the decision of the House will be on this occasion similar to that which it has been on so many former occasions, and that they will come to the conclusion that the proposition of my hon. Friend is one which ought not to be adopted.

Mr. COX, who was almost inaudible amid the general calls for a division, was understood to say, that the ballot was the cardinal point in the creed of the Liberal party; and if the Conservative members would refrain from voting now, reserving to themselves the right to reverse the decision hereafter, the Government would be placed in a minority of at least three to one. The noble Lord forgot that he was at the head of the Government when a Bill was brought in for the government of the metropolis, which gave all householders of £40 a year and upwards the right of voting by ballot. The Metropolis Local Management Act had worked well for the metropolis; and if it was good for 3,000,000, it must be equally good for the whole country. The ballot would get rid of jobbery, bribery, and intimidation, and render elections less noisy and turbulent; because it would be impossible to tell, until the ballot closed, what was the state of the poll. He thought that so great and important a question ought not to be brought to a division without some discussion and some observations from hon. Members. As for the election at New Ross, which had been mentioned, the excitement there would have been entirely avoided by secret voting, as no one would have known until some time after that the majority had been so narrow.

Mr. H. BERKELEY said, that at present electors were not subject to the legitimate influence of public opinion, when they might sacrifice themselves by voting openly. Public opinion would act just as much upon men's minds as it did now, and, indeed, it would act more strongly if they gave their votes secretly. When a man's hands were tied, he could not consult public opinion. The noble Lord's manner was very graceful and charming, even when he talked about other gentlemen's wives. No doubt hon. Members were excellent disciples of the conjugal school; but he had some little doubt whether they told everything to their wives. Speaking for the wives, one thing he could be certain of, and that was, that if intrusted with the secret of the votes their husbands intended to give, they would not betray them, especially when ruin might be the result of betrayal. In such a case the wife and the children might be pretty safely intrusted with the husband's secret. Those, however, were futile objections. The noble Lord had intimated that he (Mr. Berkeley) had said his arguments were unanswerable. He (Mr. Berkeley) never thought or said so, but he did say that Mr. Grote's arguments were unanswered.

Question put.

The House *divided*:—Ayes 102; Noes 122: Majority 20.

ASSIZE AND CIRCUIT ARRANGEMENTS.

RESOLUTION.

Mr. M'MAHON said, he rose to move a Resolution, "That it is expedient to make such alterations in the Assize and Circuit arrangements as would secure a more speedy trial in the country of country causes." His aim in proposing that Resolution was to carry out the objects of the Commission of 1857, which had inquired into the subject, and had made several recommendations, by giving to the country districts and to towns more frequent opportunities of trying their causes. In the country there were but two assizes in the year, while in London and Middlesex there were no less than ninety-six sittings—thirty-two for each of the three courts; so that a suitor in Middlesex had forty-eight times more opportunities of having his case tried than the suitor over the river in the county of Surrey. This was an extraordinary anomaly; and it was also an anomaly, that whilst county courts sat twelve times a year, causes involving more than £50 could only be heard in the country twice in the year. The Great Charter of King John provided that trials of ejectments and other local causes should take place four times a year, and by a statute of Edward I. and others it was provided that there should be three Assizes in the year. But the tendency of modern times had been to concentrate legal business in London. In 1648 there were 452 causes tried in the county of Oxford, and from 1780 to 1849 the average was only 132. The tendency towards London monopoly had at last produced dissatisfaction in the country, where suitors must either wait half a year, or incur the expense of coming to London; and nothing was more common than for defendants to settle on any terms rather than incur the cost and inconvenience of a trial in London. The Manchester Chamber of Commerce had adopted a memorial declaring that the present system involved a denial of justice, and that it ought to be maintained only on weighty and undeniable grounds of public security, and it was owing to such memorials from various law societies and towns in the country that the Commission to which he had referred was appointed, and inquired into the expediency of having a third assize in the country generally. The Commissioners would have recommended additional assizes, but what restrained them was, that they felt that to accomplish this change additional Judges must be appointed. The Incorporated Law Society of London reported, that considering the long interval of eight months between the summer and spring circuits, it was submitted that there should be a third circuit, and that the terms should be reduced to three by either Easter or Trinity term being abolished. One great objection to the present system was that of having assizes held in so few towns, which necessitated taking parties and witnesses far from their homes; and it was calculated that taking witnesses more than thirty miles doubled the cost of a trial. If that were so, there would be an enormous saving if assize towns were more numerous, and if there were three circuits, which would prevent many country causes being set down for trial in London. The saving which would as a result be effected would more than counterbalance the expense of increasing the number of Judges. At the time the Commission had made its Report there was an impression that the Common Law Judges had not very much work to do, and it was even contended that their number ought to be diminished. The fact was, however, that the business in the superior courts had so increased from various causes that the Judges had now more work than ever to get through, the result being that scarcely any of the courts in Westminster had its full complement of Judges available, some of them being obliged to sit in the Divorce Court or to attend at the Privy Council or elsewhere. Indeed, the great wonder was, seeing how wide was the extent of their duties, that the number of Judges had not long since been increased. In England, which possessed the largest commercial and manufacturing population in the world, there were only fifteen Common Law Judges, whereas in Ireland—where, in his opinion, the number of Judges was far from being too large—there were twelve Judges, although the population was so much less; the number in the superior courts in Scotland being thirteen for a population of only 3,000,000. Now, nothing could be worse in a country than that its Judges should be obliged to get hurriedly through their work, for, according to the old maxim, "Haste was the mother of injustice;" and everybody, he believed, but the Chancellor of the Exchequer, was satisfied that the number of Judges in England ought to be increased. The expense of creating additional Judges would not be more than £10,000 a year, while that expense would be more than made up for by the saving which might be effected as a consequence of the augmented facilities which would be given for trying causes in Yorkshire and Lancashire alone. The inconvenience of the present system bore with especial hardship, he believed, on the inhabitants of Yorkshire, who had to go great distances to York to have their causes tried. Now, when they were about to expend so large a sum on providing a refuge for all the animals in the British Museum, it was not, he thought, unreasonable to ask that some £10,000 or £12,000 a year should be laid out in securing the services of a few more Judges to meet the wants of the country in the direction to which his Motion pointed. In 1857 it was intended to issue a commission for the trial of causes at the winter assize in Yorkshire, but that intention was abandoned in consequence, as was stated, of Lord Campbell having "informed the Secretary of State that the Judges were of opinion that parties would not be properly prepared for the trial of civil causes in December." The only difficulty really was the want of more Judges, and he hoped that the public would not be deprived of the accommodation which was so much needed on account of the small additional expense which such an increase would occasion.

MR. HADFIELD said, that some alteration like that proposed had become of vital importance to the north of England, and particularly to such places as Sheffield. From that town they had to travel fifty-five miles to York to try their causes and their prisoners; whilst in Lancashire, which was a much smaller county, they had three assize towns. The expense was not at all to be estimated in comparison with the immense advantages to be derived from the change proposed. There was no place in the United Kingdom suffering from so great a disadvantage in this respect as the west riding of Yorkshire; and he appealed to the Attorney General, who was well aware of the inconvenience, to assist in its removal.

Motion made, and Question proposed,

"That it is expedient to make such alterations in the Assize and Circuit arrangements as would secure a more speedy trial in the country of country causes."—(*Mr. M'Mahon.*)

MR. BAINES said, he should support the Motion. The population of Yorkshire amounted to 2,000,000, upwards of three-fourths of whom resided in the West Riding. Thus Leeds had a population of 207,000, Sheffield 185,000, Bradford and Halifax each over 100,000, and many of the other towns had populations of 50,000 or 60,000; and the small number of assizes in the West Riding and the few places in which they were held amounted to a great substantial grievance and hardship. The vast amount of manufacturing and commercial transactions necessarily led to a great deal of legal work, and the present state of things involved, to a considerable extent, a practical denial of justice, owing to the want of due facilities for the administration of justice. He hoped the Government would seriously and immediately take the subject into consideration.

SIR FRANCIS CROSSLEY rose to speak to the Motion, when—

Notice taken, that 40 Members were not present; House counted, and 40 Memnot being present,

House adjourned at Ten o'clock.

HOUSE OF COMMONS,

Wednesday, June 17, 1863.

MINUTES.]—SELECT COMMITTEE—*Report*—Kitchen and Refreshment Rooms (House of Commons), *Second Report* [Parl. P. 366].

SUPPLY—CIVIL SERVICE ESTIMATES—*Resolutions* [June 15] *reported.*

PUBLIC BILLS—*Ordered*—Howth Harbour.

First Reading—Domestic Servants and Apprentices Protection*[Bill 168]; Corporal Punishment in Schools* [Bill 169]; Walmer Vesting* [Bill 170]; Inclosure (No. 2)* [Bill 167].

Second Reading—Navy Prize Money, &c. [Bill 147]; Civil Bill Courts (Ireland) [Bill 138]; Local Government Supplemental (No. 2)* [Bill 165].

Select Commitee—Thames Embankment (South Side) [Bill 65], Mr. W. Cubitt *discharged,* Mr. Tite *added.**

Referred to Select Committee—Election Petitions [Bill 124].

Committee—Marriages Registration (Ireland) [Bill 118], *on re-committal.*

Report—Marriages Registration (Ireland).

Third Reading—Offences (South Africa) (*Lords*)* [Bill 113]; Sheep and Cattle (Scotland)* [Bill 115]; Metropolis Turnpike Roads Acts Amendment* [Bill 131]; and severally *passed.*

Withdrawn—Endowed Schools [Bill 3].

ENDOWED SCHOOLS BILL—[BILL 3.]

BILL WITHDRAWN

Order for Second Reading read.

MR. DILLWYN said, he was sorry to learn that a great many Petitions had been presented against the Bill, but he was of opinion that much of the opposition entertained to it arose from unfounded statements which had been made with respect to his motives in introducing the Bill, and also from misapprehensions of what would be the working of the measure itself. He felt that the Bill was one of great importance, and that the misapprehensions he alluded to could only be dispelled by a full and fair discussion in that House. He was not aware when he fixed the second reading for that day that it was the day appointed for the celebration of the Oxford Commemoration, at which many Members of the House, including the representatives of the University, were naturally anxious to be present. He had, in consequence, been asked by several hon. Gentlemen to postpone the discussion on the measure to another day; but he did not deem it consistent with his public duty to do so, inasmuch as he knew that at that period of the Session it would be difficult to find another opportunity of bringing it on. He therefore suggested that the second reading should be taken *pro formâ,* and the discussion raised at the next stage of the Bill. That course did not meet the views of the hon. Members to whom he alluded. On re-considering the matter, however, and being strongly of opinion that the question was one which it was desirable should be fully discussed, being the last man, moreover, who would wish to take advantage of the absence of his opponents in dealing with a subject of such large national interest, and there being but little chance of his being able to carry the Bill this Session, he thought he should be pursuing the best course if he were not to ask the House to proceed with it any further. In taking that step, however, it was fully his intention again to re-open the question. Meantime he might be permitted to observe, as he had been made the object of censure for the part which he had taken in the matter, and as the character of the Bill seemed to have been much misapprehended, that it was by no means meant to be an assault upon the Established Church, but rather a resistance to an attack which had emanated from that quarter based on the decision in the Ilminster case. It was in promotion of the principle of civil and religious liberty that he had framed the Bill, and he did not, he might add, attach any very great weight to the numerous Petitions which he admitted had been presented against it, because he believed them to be, for the most part, the result of a well-disciplined organization. The hon. Gentleman, in conclusion, moved that the Order for the Second Reading of the Bill be discharged.

MR. SELWYN said, he rose to express his satisfaction at the course taken by the hon Gentleman in withdrawing the Bill. He could assure the hon. Gentleman that there was no intention on the part of any of the opponents of the Bill to make a personal attack upon him, or throw any aspersions upon him for the course he had taken. On the contrary, they were ready to acknowledge the temperate manner in which the hon. Gentleman generally dealt with these subjects. The hon. Gentleman had always advocated the views which he entertained on the subject of those endowed schools in the most fair and candid manner. The present measure was, however, he thought, even more objectionable than any of those which he had previously introduced on the subject, and he would further say that he (Mr. Selwyn) must protest against the Ilminster case, which they had all hoped was dead and buried, being again dragged forward. The Judges on the Ilminster case did not lay down any general rule; but, on the contrary, simply recognising the existing rule, which had been fairly and impartially acted upon for many years, they applied it to the circumstances of the case before them. He trusted that the Bill would not be re-introduced. The House had been engaged in these religious discussions with very little profit or useful result, and he hoped that in future the labours of the hon. Gentleman and the dissenting body would be directed to questions more likely to prove beneficial to the masses of the population. He hoped, judging from the course the hon. Gentleman had taken in withdrawing this Bill, that it was not enthusiastic or visionary to anticipate that they were really approaching the end of these controversies. At any rate, he trusted that if any measure was to be introduced upon the subject hereafter, it would be introduced in a very different spirit from that which characterized the present Bill. So far as the remark that the Petitions against the present Bill were the result of a systematic organization was concerned, he would say that Petitions had been presented against it from the two Universities and other bodies which were not open to the insinuation which that remark would convey. With no party feeling then, but with every desire to act justly, he begged to second the Motion for the discharge of the Order for the Second Reading of the Bill.

MR. DILWYN explained that he had not alluded to any discourteous attack upon him in the House, but to what had taken place out of doors.

MR. LOWE said, that he regretted very much that the Bill had ever been introduced, and was therefore glad that it was about to be withdrawn. The hon. Member said that the object of the Bill was to promote civil and religious liberty. He would just point out that under the provisions of this Bill a Dissenter might found a school for the benefit of Dissenters, and it might be preserved for their benefit; but if a king founded a school for the benefit of the Church of England, it could not be preserved for the benefit of the Church. Speaking from experience, he would say, that if the end which the hon. Gentleman who brought forward the measure sought to attain was the promotion of tolerant views between Churchmen and Dissenters, he had taken a course in proposing such a measure eminently calculated to defeat that object. In his official capacity he was every day dealing with parties who were drawing up regulations for the management of schools connected with the Church of England. These parties wished to establish regulations which would virtually exclude Dissenters, and the great difficulty with which the Committee of Council had to contend in the case of those endowments, in order to secure a spirit of reasonable toleration towards Dissenters was, that those who were opposed to action in that direction were able to point to proposals which went so far as that of the hon. Gentleman. If, therefore, the hon. Gentleman would duly consider how much damage he did to a cause which he believed him to have really at heart, by making such proposals, he felt assured he would deem it to be his duty not to continue to press them upon the attention of the House.

Lord HENLEY said, he rose to express a hope, that notwithstanding what had fallen from the Vice President of the Committee of Council on Education, the hon. Member for Swansea would introduce the Bill in the next Session. He thought the right hon. Gentleman had misrepresented the object of the Bill, which was not to create ill-feeling between Churchmen and Dissenters, but to place the law with reference to endowed schools on a fair and reasonable footing. As an instance of the way in which the law now operated, he might mention the case of a grammar school in Northampton which had been founded many years ago, nothing having been said in the foundation deed as to the religion which should be taught in it. Subsequently the income of the school had been augmented by the diversion of other charities, and upon none of the occasions of such diversion was there anything said on the subject. Now, it seemed that the Attorney General had the power of framing rules for the management of the schools, and in accordance with a rule lately made, it was laid down that both the head and second master should be members of the Church of England. That rule, it would at once be seen, operated harshly in the case of Dissenters, with reference to whose exclusion from those situations nothing whatever was said in the deed of foundation. He hoped that in a future year the hon. Member for Swansea would bring on a bill to set the law right in that respect.

Mr. W. E. FORSTER said, he should not have made any remark, had it not been for the parting kick which the right hon. Gentleman had given the Bill. The right hon. Gentleman said that measures of the kind tended to prevent the settlement of religious disputes between Churchmen and Dissenters; but he (Mr. W. E. Forster) could conceive nothing more likely to prevent the settlement of such questions than the course pursued by the right hon. Gentleman. The people of the country generally would look with great suspicion upon that course, when they found a right hon. Gentleman who had obtained his present position in the House by advocating the claims of the Dissenters to civil and religious liberty, so far forsaking that position as to talk of toleration as the only object the Dissenters had in view.

Mr. HADFIELD said, it was a mere personal objection that was raised to the Bill. It was a moderate measure, and was only intended to abolish an insult; no interest of the Church was affected by it. It was by moving ecclesiastical and spiritual hatred that the Bill had been defeated.

Order *discharged:*—Bill *withdrawn.*

NAVY PRIZE MONEY, &c. BILL.

[BILL 147.] SECOND READING.

Order for Second Reading read.

Sir JOHN HAY, in moving the second reading of this Bill, stated, that its object was to restore to naval officers the right of appointing agents to take charge of their interests in regard to prize money and bounties, of which they were deprived in the year 1854, when the duty of protecting them was cast upon the Accountant General. It was at that time alleged that the interests of officers and crews would not be so well protected by that officer as by agents whom they themselves appointed and whose remuneration would depend upon the amount of prize money recovered. To prove the soundness of that objection, he would contrast what was done in the case of the capture of St. Jean d'Acre with what had occurred with regard to the Kertch prize money. St. Jean d'Acre was captured in the year 1840, an agent was appointed by the captors, and the Government, to avoid going into the Admiralty Court, at once paid over a sum of £70,000, out of which the agent received a commission of 3 per cent. With regard to the Kertch prize, in the year 1857 there was great difficulty in getting the case taken into court, owing to there being no provision for the payment of the agent. Finally, himself and Commodore Wilmot, who were afterwards joined by

Captain Mends, asked Mr. Ommanney to take the case into court. Mr. Ommanney did not see his way to any remuneration; but out of personal friendship to them he endeavoured to take the case into court; but he did not succeed. Last year the Government was, by the action of the House, compelled to allow the matter to be brought before a court, and in order to avoid foreign complications and save money, they offered to pay £85,000. Mr. Ommanney, who had been actively engaged on behalf of the captors for six years, made a claim to be allowed 2½ per cent. The Treasury, however, said that they could not give away the money of the captors, but the Admiralty offered to give Mr. Ommanney £500 for his remuneration. Even though himself, Commodore Wilmot, and Captain Mends were to give up their own shares in this prize—about £200 each—there would still remain £1,000 due to Mr. Ommanney for his commission, which they could only raise by writing letters to 10,000 or 12,000 of the individual captors. Last year, when this subject was before the House, he was informed by the hon. Member for Bedford (Mr. Whitehead) that the Government were not prepared to bring in any Bill; but that if he would frame a measure, they would examine it. The Bill was drawn, and after communication with Mr. Romaine, Mr. Rothery, and other officials, alterations were introduced into it. At the request of the noble Lord the Secretary of the Admiralty, who himself promised to introduce a measure, he postponed the introduction of this Bill until after Whitsuntide, and it was then read a first time without opposition. He now found that the Admiralty entertained some objections to certain provisions of the Bill, and he had given notice of Amendments in Committee to meet some of those objections. He understood that some of the legal officials objected to the title, "A Bill for facilitating the distribution of Prize Money," because they said that no such facilities were required. This he certainly could not admit, but he should not refuse to amend the title of the Bill. The Admiralty were anxious, that until distribution took place, the money should remain in the hands of the Accountant General unproductive. This, he thought, was undesirable. In some cases the interest of money which had been invested had paid all the expenses and left a small sum over; and as his measure provided that the money should only be invested in the public funds or stocks in Great Britain and Ireland, he did not see that any valid objection could be raised to it. The officers of the Admiralty were very anxious that the sale of prizes should be left to the Marshal of the Court of Admiralty. In his opinion the interests of the captors would be better attended to by the agent, to whose advantage it would be to get as large a price as possible; and as the money would never come into his hands, but would be paid immediately to the Accountant General, there could be no reason why the whole matter should not be left to him. He could mention many instances besides that of Kertch in which captors had suffered under the existing law. He believed that every one would admit that this Bill, with the Amendments which he was prepared to introduce into it, would be a step in the right direction. He therefore trusted that this measure would be allowed to pass, in order that it might stop the gap until the Admiralty Bill was produced, and that the interests of the navy might not be allowed to suffer for want of legislation, which the Admiralty ought to have undertaken, but in regard to which they had neglected their duty.

Moved, That the Bill be now read a second time.—(*Sir John Hay.*)

LORD CLARENCE PAGET said, he would give his hon. and gallant Friend the greatest credit for the zeal and industry which he had displayed in preparing this Bill, which showed that he was as good a lawyer as he was a sea captain, and for which the navy generally would be very grateful to him. He should have been very glad to support the Bill with certain Amendments, if he had not been assured by his legal advisers that it would be injurious to the public interests that a Bill dealing with a small portion of naval prize business should be thrown on the top of a vast number of Acts of Parliament with which it might possibly interfere, and which, in dealing with the subject, ought to be very carefully examined, especially when the legal advisers of the Admiralty were preparing a Bill with the view of putting the important subject of prize on a satisfactory footing, repealing certain of these Acts and consolidating the others. To show that the matter was attended with great difficulty, he would refer to a Report made by Mr. Rothery, the Registrar of the Court of Admiralty, on the 20th of May last, in which that gentleman stated that "the Acts relating to the subject were exceedingly numerous, ranging from the reign of Queen Anne to the late war with Russia," and that many of them had unquestionably expired, spent, or otherwise obsolete, while in the case of others it was extremely difficult to say what provisions were in force and how far they might safely be repealed. As an instance of the latter class of Acts, Mr. Rothery referred to the 45 *Geo.* III., which had been partially repealed, and re-enacted by a great number of other Acts passed in the same reign, and in the reigns of George IV. and William IV., thus producing a state of confusion which rendered the work of consolidation one of great difficulty. At that moment there was no immediate necessity for legislation upon the subject. If they were at war, he could understand that it might be desirable to pass this Bill; but, under existing circumstances, he thought it would be more for the convenience of the service itself, instead of passing a Bill which was to remain in force for only six months, and which would not reach the foreign stations until it was about to be repealed, to wait for the general measure, which he had no doubt would be ready at the beginning of next Session. He wished that the lawyers could be made to carry a little more sail; but, nevertheless, it was eminently a legal question, and he did not think that it was safe for his hon. and gallant Friend, however eminent might be the legal gentlemen who had assisted him, to press on the measure, when the work had been undertaken by the Government, who were as anxious as he was that the law should be amended. He would not enter into a discussion of the details of the measure, although he was informed that there was hardly a single clause in it which would not require alteration. The Bill could not affect the question of the remuneration of Mr. Ommanney, or the distribution of the Kertch prize money; and he hoped that the assurance which he had given to his hon. and gallant Friend that the Admiralty were endeavouring to push forward their Bill, and that he had every reason to believe that it would be laid upon the table immediately after the meeting of Parliament next year, would induce him not to press the measure, but rather to go to the Admiralty and assist them in the work which they had undertaken.

Mr. G. HARDY said, that he did not know much about the subject, but he certainly was not satisfied with the remarks of the noble Lord. It was admitted that the law was in an unsatisfactory state as regarded the captors of prizes, there being great delay in the captors getting the money to which they were entitled. The manner in which the distribution of the Kertch prize money to the soldiers and sailors was delayed was not at all creditable to this country. The measure appeared to him to be a very simple Bill, and one the value of which was in no way affected by the observations of the noble Lord. Its object was simply to adopt the natural course of enabling captors to appoint an agent, and to provide that he should be remunerated by a payment at the rate of 2½ per cent. out of the funds which he received. He trusted that the House would not be deterred from reading the Bill a second time by the promise of a consolidation of the law upon the subject. The work of consolidation would not be impeded, but rather facilitated, by a declaration in favour of the principle that the captors of vessels should be entitled to appoint an agent who might act for them. Consolidations, too, were often attended with many delays, and a promised consolidation ought not to be allowed to interfere with such a measure as this, which was a simple remedy for a simple grievance. The noble Lord said that the Bill would not come into operation in time to produce any advantage. It was, however, possible that before the meeting of Parliament next year the navy might be called upon to make captures; and as the provisions of the measure referred to bounties as well as to prizes, it would at once apply to all bounties payable for the capture of slavers. He hoped that the House would agree to the second reading of the Bill.

Mr. COLLIER said, he fully appreciated the motives of the hon. and gallant Officer, between whom and the Admiralty there was no substantial difference. The only question the House had to consider was, as to the best mode of attaining the object which both had in view; whether it would be better to pass the Bill, which the hon. Gentleman himself said was a mere stop-gap, or to wait until the next Session in order that a well-considered measure, consolidating all the former Acts, might be passed. Almost all the difficulties which were now experienced in regard to legislation arose from the practice of passing stop-gaps. Not only were there in existence, as Mr. Rothery had said, fifty or sixty statutes upon the subject; but when Mr.

Riley, the gentleman who prepared Bills for the Admiralty, examined the subject, he found that there were a great many other Acts, all of which would have to be considered with a view of ascertaining whether they were obsolete or repealed or still in existence, and it was that circumstance which had prevented Mr. Riley, with all his diligence and industry, from preparing that year a Bill which would be satisfactory to the House and to the country. The measure before the House was in some respects consistent, in many inconsistent, with previous Acts. If it were passed into law, questions must continually arise as to how far those Acts were virtually or actually repealed. The hon. and gallant Gentleman seemed not to have considered sufficiently the extent to which the jurisdiction of the Admiralty Court would be affected. He proposed to put the cart before the horse; to pay over the proceeds of the sale for distribution among the captors before the Court had decided whether the ship thus sold was lawful prize or not. Clause 26 deprived the Admiralty of the power of ordering the investment of the prize-money, except upon the application of the agent for the captors—a change for which he was unable to discover any valid reason. These and many other clauses would require minute criticism if the Bill ever got into Committee. But he was disposed to believe that it ought not to be entertained by the House. It was a mere stop-gap, forestalling and taking the place of comprehensive legislation on the whole question. He was not answerable for the course which had been adopted; but when the responsible advisers of the Government, able and experienced men, who were actually engaged in the preparation of a measure, said that it was impossible without further consideration to digest and consolidate into a perfected scheme the various Acts already on the statute book, he must say the independent legislation which was now pressed on the House for its adoption reminded him of the proverb, "The more haste, the less speed."

MR. SELWYN said, he thought it hard that his hon. and gallant Friend should be accused of haste, when he had pointed out that it was not till after repeated promises by the Admiralty and repeated delays on their part, that he had taken the initiative in introducing a measure to Parliament. Four objections had been taken to the Bill, the first being that it was merely a stop-gap, and had reference only to a particular point. He was quite prepared to go along with the noble Lord in desiring the introduction of a measure to remedy all the abuses in the distribution of prize-money, for he had heard officers of experience declare that in any future war it would be difficult to maintain the same discipline which had hitherto prevailed, and to restrain the men from indiscriminate plunder, because they had no longer any confidence in the distribution of prize-money through the legitimate channels. But it was no answer to say, that because they could not do everything by a particular Bill, nothing whatever should be done. He wished to speak with all possible respect of the Gentleman (Mr. Riley) on whose authority they had been told that fifty or sixty Acts of Parliament must be studied before legislation on the question could be approached. But would the learned Gentleman who had just sat down, or anybody else on the Government benches, point out in what way any one of those Acts of Parliament would be affected by the present measure? The Bill did not propose to repeal any Act of Parliament; it did not even contain the clause, so fertile of doubt and difficulty to be found in many acts of Parliament, repealing any portions of previous Acts which might be inconsistent with itself. To the principle of the Bill no objection whatever had been made; and as to verbal criticism on such points as the substitution of the word "Paymaster" for "Accountant-General," he gave his learned Friend all the benefit to be derived from them. He ventured to say, that instead of embarrassing Mr. Riley in his preparation of a general measure, it would be an advantage to the draughtsman to have a distinct expression of the opinion of the Legislature on one branch of the subject. Then it was objected to the Bill that there was no probability of war. He was glad to hear the noble Lord express his willingness to enter into securities to keep the peace with all the world; but, unfortunately, he could not always control circumstances. Besides, questions of salvage and bounties would arise under the Bill, and there was some prospect that under the recent treaty with the United States captures of slavers would become more numerous. The fourth objection to the Bill he had been really astonished to hear. It was said, the details of the measure could not be made known on distant stations for a considerable period. Was the large Government Bill, when carried next year, to fly out with any greater rapidity? The noble Lord must have been very hard pushed for objections when he resorted to such a transparent argument. He hoped the House would not refuse to apply a practical remedy to a clear grievance, and that, if it could not aid their soldiers, it would, at least, do justice to their sailors.

Mr. STANSFELD said, there was no charge of undue haste against the hon. and gallant Member. The question was simply, whether the House would think it necessary to enter into the details of a measure, the Board of Admiralty having already under their consideration the details of a much more comprehensive Bill, which they had determined to bring before the House. It was not the fault of his noble Friend that the Bill had not been laid upon the table of the House; it was only recently that the Government learnt it would be unwise to press it during the present Session. The Admiralty were acting solely upon the representations of their professional advisers, and he had no doubt his noble Friend would give a pledge that the Bill should be introduced very early in the next Session. No pressing necessity for legislation at an earlier period had been established.

Sir JAMES ELPHINSTONE said, the opposition of the Government had resolved itself into a struggle, not against the principle of the Bill, but simply for delay. He believed that there were important interests concerned in the speedy settlement of the question. In addition to the increased capture of slavers which might be anticipated within the next two years, in consequence of the Treaty with the United States for the suppression of the slave trade, they were engaged in suppressing piracy in the Gulf of Borneo, and had eight or ten vessels upon that station. If they could only succeed in putting their hands upon the depôts there, the amount of prize-money would be considerable. If the Government were really in earnest in amending the law, they ought to have given the necessary instructions last year, immediately after they promised to bring in a Bill. Instead of that, he was told the instructions did not reach Mr. Rothery till the month of January. Could there be a graver reflection upon the heads of Departments than the fact that they suffered sixty or eighty obsolete Acts to encumber the statute book on a matter of such vital consequence to the efficiency of the navy? In 1854 the Act which it was sought to get rid of passed through the Houses of Lords and Commons with indecent haste. Very shortly afterwards a midshipman of the *James Watt* brought home a prize, and on landing in London with his crew of fifteen men found himself without means of subsistence. On applying at the Admiralty, he was told that the hunger of the party would be satisfied and shelter provided for them when the proceeds of the prize had been realized. Such were the first-fruits of a naval administration of which, speaking advisedly, he ventured to say, that in the course of its existence it had done more harm to the navy of England than ever was done by the French. A precisely similar case to that which he had just mentioned occurred to an officer and prize crew belonging to the *Euryalus*. Under the old law the officer in charge would have been consigned to an agent, who would have made the necessary advances. In those cases, supposing the prize to have been disabled by stress of weather, he wished to know on whom a bottomry bond for repairs would be drawn?

Lord CLARENCE PAGET said, these were not questions for a Prize Court. Application ought to be made to the Admiralty.

Sir JAMES ELPHINSTONE said, he admitted that a prize might be victualled from a guardship, say, at the Cape of Good Hope; but a bottomry bond could not be drawn upon men. Under the old Act the officer in charge would draw upon the consignee of the vessel, as in an ordinary mercantile transaction. In the debate in the House of Lords, in 1854, Lord Brougham bore testimony to the invaluable services of the prize agents, and expressed apprehensions, which the result only too well justified, regarding the change of system. Those agents had sometimes succeeded in establishing the claims of the captors where these were disputed by the Government. The Kertch and Yenikale prize money, which had been so long outstanding, was ultimately got in by an agent, and the Government now refused to allow that gentleman any fair amount of commission which he claimed. He did not think the Admiralty had made out any case for delay. He quite conceded the advisability of removing obsolete statutes, and of going into the Admiralty regulations so as to have them condensed. At present officers were placed in a position of the greatest difficulty, and were often mulcted in their pay for faults of which any one might be guilty. He gave his ardent support to the Motion of his gallant Friend, and advised him very strongly to take the sense of the House upon it.

COLONEL DUNNE said, he was at a loss to understand why, when the facts were undoubted, the Government should want six or twelve months more to maunder over old Acts of Parliament. He hoped that the discussion which had taken place might have the effect of calling attention to the abuses in the distribution of military prize money, which were just as flagrant as in the navy. Only the other day he received a letter, extremely well written, from a man who stated that he had been walking about the streets for a week in a state bordering on starvation, although money had been due to him by the Government ever since the Kertch and Yenikale expedition. In many cases prize money remained unpaid for ten or twelve years; whole families sometimes starved before their proportions could be obtained. Burmah, Lucknow, Delhi, the Deccan,—not one of these names could be mentioned without recalling scandals of the worst kind.

LORD CLARENCE PAGET said, he would not oppose the evident wish of the House, but would allow the Bill to be read a second time, and bring forward his Amendments in Committee. At the same time, he felt bound to warn the House, that it was assuming a responsibility which properly belonged to the Government.

Bill read 2°, and *committed* for *Friday*.

ELECTION PETITIONS BILL.

[BILL 124.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

SIR GEORGE GREY said, the object which the measure contemplated, that of checking the presentation of frivolous Petitions, was undoubtedly beneficial; but it was necessary to surround the Bill with some precautions, otherwise it might discourage the presentation of *bonâ fide* Petitions. Considering the importance of the subject, and the number of Amendments which it was proposed to introduce, he thought it would be better that the Bill should be committed *pro formâ*, in order that when reprinted it might be referred to a Select Committee composed of gentlemen of experience in election inquiries. In any case he hoped the hon. Gentleman would not ask them then to go into the details of the measure.

MR. HUNT said, the opportunities at the disposal of private Members were very limited, and he was therefore indisposed to accede to the suggestion of the right hon. Gentleman. There ought not to be the least difficulty in proceeding with the consideration of the Bill, to the second reading of which, when it was last before the House, no opposition had been offered. He had eagerly caught at every suggestion for its improvement. The Amendments on the paper were no doubt extensive, but some had been rendered necessary in order to carry out alterations which the Government had itself suggested. He had gone through the Bill, clause by clause, with his hon. and learned Friend the Attorney-General, and was under the impression that the hon. and learned Gentleman had assented to the Clauses and the Amendments. To refer the Bill to a Select Committee, would be to postpone it to another Session; and he therefore trusted that the House would consent to go into Committee on the Bill at once.

SIR FRANCIS GOLDSMID said, the Bill might have the effect of preventing the presentation of some vexatious Petitions, but it might also prevent the presentation of some which were of *bonâ fide* character. He hoped the Bill would not pass without further consideration than it had hitherto received.

MR. ADDERLEY said, he thought a fair opportunity was afforded for the consideration of this measure, the principle of which had already been affirmed by the House. The necessity for the measure had been acknowledged for many years, and he therefore hoped to see it passed at once.

MR. KNATCHBULL-HUGESSEN said, he could speak from his own experience of the great necessity for some such legislation on the subject. In 1859 he was returned for Sandwich. A few days after the election a carriage containing some Conservative agents came over from Dover, and the result was a Petition against his return. When he accepted office, and went down for re-election, the Conservative party in the borough repudiated all knowledge of the Petition which was then hanging over his head. Certain parties, however, who opposed his return, issued a placard adopting in effect the charges made against him in the Election Petition. He brought an action against those persons for libel, and but for that accident he should have had no opportunity of proving his innocence of the charges of corrupt practices, because the Petition against his return was withdrawn. There ought to be a Committee to take cognizance of Election Petitions, not only on their withdrawal, as was proposed by the hon. Member (Mr. Hunt), but on their presentation. Such a Committee should act as a sort of grand jury, to see whether there was a *primâ facie* case for proceeding with the Petition. It would be the duty of such a Committee to see that the person who made such a charge was not a man of straw, as frequently happened, and also to compel him to come forward and make an affidavit that he had some grounds for his allegation. No one gained by the present system but a class of of men who made a trade of such practices. He trusted something would be done before another general election, to check a system that was unfair both to Members and constituencies, and which neither added to the dignity of the House, nor the character of its proceedings.

Sir WILLIAM MILES said, he thought that was a very fair opportunity for considering the details of the Bill. The Attorney General was present, and he hoped the House would at once go into Committee, and consider the matter clause by clause.

Mr. AYRTON said, that if the Government would not do their duty, and incur the responsibility of bringing in such a Bill, it was necessary that any measure introduced by a private Member should be very carefully examined. There was a good deal in the law relating to election Petitions which was of a very minute and technical character, and he moved, as an Amendment, that the Bill be referred to a Select Committee.

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "the Bill be committed to a Select Committee,"—(*Mr. Ayrton,*)—instead thereof.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided:*—Ayes 91; Noes 92: Majority 1.

Words *added.*

Mr. HUNT said, that as the House had determined that the Bill should be referred to a Select Committee, he trusted that no time would be lost, so that the House might have an opportunity of discussing the Bill before the close of the Session.

Sir GEORGE GREY said, he could assure the hon. Gentleman that he had not voted for the Amendment in order to defeat the Bill. The House had, however, never passed a measure on the subject without first referring the Bill to a Select Committee.

Main Question, as amended, put, and *agreed to.*

Bill *committed* to a Select Committee; and on June 18 Committee *nominated.*

MARRIAGES REGISTRATION (IRELAND) (*re-committed*) BILL [Mr. Monsell].

[BILL 118.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 6 *agreed to.*

Clause 7 (Provision for Marriages not within Provisions of 7 & 8 *Vict.*, c. 81).

Sir EDWARD GROGAN said that the Bill was one which enabled Roman Catholic marriages to be registered in a most exceptional manner. In England the registration of the marriages of Roman Catholics took place under the general law applicable to all classes of Dissenters. But by the Bill, as soon as a marriage had been celebrated in a Roman Catholic church in whatever form, the State was to register the marriage as lawful. It was said that the Bill was borrowed from the Scottish law, but in Scotland the bans were publish in the parish church, and other securities were taken. Under the Bill there was no provision of bans, no notice or security that the parties were of full age, or, if under age, that the consent of their parents had been obtained. He had given notice of several Amendments to cure these defects, which might be summed up in the provision that the parties married should be themselves their own registrars, and that the marriage law for Roman Catholics in Ireland should be similar to that of this country. The consequence of passing the Bill would be that marriages would be solemnized without preliminary examination, without proof of consent of the parents, and without evidence of the age of the parties. He would admit that the non-existence of any registration of Roman Catholic marriages was a blot upon the present social system of Ireland, yet he contended that the State ought to take precautions which were neglected by the Bill. He begged to move, in page 2, line 35, after "same" to insert "one of."

Amendment proposed, in page 2, line 35, after "same" to insert "one of."—(*Sir Edward Grogan.*)

LORD NAAS said, he should oppose the Amendment. He was not very sanguine that any Member of that House would live to see the marriage law of England and Ireland assimilated, and his right hon. Friend, therefore, proposed to deal with the existing law in a manner which he believed would meet the wishes and the wants of the Roman Catholic population of Ireland. There was no proposal in the Bill which would throw any impediment in the way of future legislation. Speaking as a sincere member of the Establish Church, and wishing to see that Church maintained exactly in her present position, he could not see any danger in this Bill. It could not render legal marriages which were otherwise illegal. On the contrary, it might place an effectual check on an objectionable kind of marriage. The Amendments, however, which had been proposed would affect the whole law of marriage in Ireland and open up the whole question. He did not think the Committee would consent to enter into such a discussion. Believing that the Bill would have a beneficial effect, he trusted that the Committee would consent to proceed with the consideration of its provisions.

Question put, "That those words be there inserted."

The Committee *divided:* — Ayes 31; Noes 105; Majority 74.

SIR EDWARD GROGAN said, after that expression of opinion on the part of the Committee, he would not move his other Amendments.

MR. VANCE said, he hoped that the Bill would be dealt with in a different way when it went to another place.

Clause *agreed to;* as were the remaining Clauses.

House *resumed.*

Bill *reported,* without Amendment; to be read 3° *to-morrow.*

CIVIL BILL COURTS (IRELAND) BILL.

[BILL 138.] SECOND READING.

Order for Second Reading read.

MR. O'HAGAN said, the courts which the Bill proposed to amend were among the most popular and useful institutions in Ireland. Their jurisdiction had grown, from time to time, from a very small one to a very extensive one; and it now extended from £10 to £40, and in some cases reached £100; and it was therefore most important that the decisions and processes should be carried out with a due regard to the interests of the public. But he regretted to say that the system which had theretofore existed, and still existed, was not a satisfactory system. Some hundred thousands of decrees were pronounced in these county courts in Ireland in the course of a year. There were ejectment decrees to the extent of many thousands. That being so, it was found that the sub-sheriff of the county, who executed the process in the name of the high sheriff, was perfectly incapable of discharging his duties in a multitude of cases. Therefore, the plaintiff, at his own peril, had been allowed to appoint the bailiff to execute the decrees of the courts, and this had led to great abuses. It was found that the bailiffs so appointed were men of no property, and bad character; not being responsible to the court, they extorted money from the plaintiff for the execution of the decree. The bailiff thus obtained a large portion of the money for which the decree was issued. For instance, £4 had been expended for the execution of a decree for £20, and in other cases £2 or £3; the plaintiff having no protection. It happened, also, that the bailiff, having no character to lose, after extorting money from the plaintiff, betrayed him to the defendant. Having got a large sum of money from the plaintiff to execute the decree, he took a sum of money from the defendant to neglect the performance of the duty for which he had been so highly paid. The bailiff, also, very often did his duty thoughtlessly and recklessly, and consequently, a large proportion of the criminal business of the courts in Ireland was composed of cases of assault and rescue, in consequence of the employment of such men. Complaints of the operation of the system were universal, and it was absolutely necessary that something should be done to protect the poor, and to secure process being properly carried out. As a remedy for the evil, it was proposed that, as in the case of the English county courts, a high bailiff should be appointed in each Irish county court, for the purpose of executing faithfully the process of the court. In England, the high bailiff was appointed by the Judge of the county court, and in Ireland it was proposed that the chairman of quarter sessions should appoint the high bailiff. A salary of £250 to £300 a year would be given to the high bailiff; and in large counties, such as Cork and Tipperary, it might be necessary to appoint two such officers. The high bailiff would be required to give substantial security for the execution of the process by himself and his bailiffs. He would appoint his bailiffs at his own peril, and would be responsible for their default and misconduct as well as for his own; he would be obliged, however, to execute in person every ejectment decree of the Civil Bill Court. They proposed to defray the expense by putting stamps on the process of the court to the extent of the fees payable at present to the sheriffs; and, as a sufficient sum would not be thus obtained, it was also proposed that there should be a progressive rate of stamp duty in proportion to the amount of the debt for which the decree was obtained. In that way a sufficient sum would be obtained to pay the salaries of the high bailiffs. It was desirable in this matter, as in others, to assimilate the law of Ireland to that of England; and as what was proposed had worked well in the latter, there was no reason why it should not do so in the former. That, however, was not the only provision in the Bill. At present, a landlord was precluded from seizing the growing crop of any of his tenants; while a person who had a civil bill decree could seize it. That state of things led to very great mischief—potatoes, cabbages, and so on being often seized for small debts, and the landlord being, perhaps, deprived of his rent. It was proposed by the Bill to abolish the ordinary creditor's right of seizing the growing crop; and he believed the effect of that change would be to protect the landlord, and at the same time benefit the tenant. Among the objections to the Bill was this —that the sheriffs would be injured by the abolition of their fees. As a matter of fact, that was so; but it afforded no ground of complaint, the sheriffs being appointed annually, and having no vested interest. The Bill, if passed, would not come into operation till the following February, when the present sheriffs would go out of office. The appointment of the high bailiff by the chairman of quarter sessions was also objected to. That was a matter which might be considered in Committee. The precedent of the English courts had been followed in that respect, and it was thought better to follow that than to place a number of new appointments in the hands of the Government. He should be prepared to listen attentively to any Amendments which might be suggested in Committee.

Mr. GEORGE said, that in common with every Member of the House he had heard with gratification the clear and lucid statement of his right hon. and learned Friend—but in regard to some essential matters he could not concur in the views expressed by him. He would admit that the process under civil bill decrees required considerable amendment, but he could not concur in the transfer of the administrative jurisdiction from the high sheriff to the officers which the Bill proposed to create. The legal profession in Ireland was, he believed, universally opposed to that change, which proceeded on the erroneous assumption that the civil courts in Ireland resembled those of England. The county court in England was altogether a civil court; whereas these courts in Ireland comprised civil and criminal matters, and the sheriff had to be in constant attendance. If that portion of the Bill passed as it stood, the high sheriff and the high bailiff would both return jury panels at the same sittings of the court, and there would be a collision between them, which would lead to great inconvenience. He was prepared to admit that great inconvenience and injury arose from the practice of executing a warrant to a special bailiff named by the parties, and that practice therefore should be abolished; but he was at a loss to know why that duty should not be confided to the recognised authorities—the high and under sheriffs. The places to be created would, according to the schedule to the Bill, cost the country £11,500 a year; but he had heard it estimated as high as £22,000, and that additional expense was incurred in order to carry out an object which he considered injudicious, inexpedient, and unnecessary. The Bill contained some useful provisions, and with respect to one clause—that preventing the seizure of growing crops under civil bill decrees—he hoped the present Session would not pass without a measure embodying that provision being carried through Parliament. He suggested the separation of that clause from the Bill, and would like to see it made the substance of a distinct Bill, which could be carried, probably, unanimously through that House. With respect to the rest of the matter of the Bill, his opinion was that it was not yet ripe for legislation. It could not be dealt with by a Select Committee, and the Session was now too far advanced to take that course with any hope of passing the Bill this year.

MR. BUTT said, he was disposed to agree to a certain extent with his hon. Friend who had just spoken. But there was one point to which the attention of the House ought to be directed, and that was, that it was impossible to throw the duty of executing the civil bill decrees on the sheriff, on account of the smallness of the fees. Now, he could conceive nothing more monstrous than the present system, which allowed the writs to be placed in the hands of persons not duly authorized to execute them, who sometimes committed the greatest enormities. He considered an alteration in that respect essential to the administration of justice in Ireland, and he should be sorry indeed if it were postponed. With respect to the expense, he understood the assent of the Treasury to the increased expenditure had been obtained. No doubt, they ought to do nothing to lower the dignity and power of the sheriffs; but the present Bill was absolutely necessary to avert a great evil, and he had an Amendment which he hoped would reserve to the sheriff his present power and emoluments. He hoped sincerely the Bill would not be postponed.

COLONEL FRENCH said, he believed that all persons in Ireland would agree in thinking that it was most desirable to get rid of that class of persons which the present Bill proposed to supersede, and to place the office in respectable hands. He preferred for the purpose a high bailiff, as provided by the Bill, to the high sheriff, as suggested by the hon. and learned Member for the county of Wexford; and he thought the appointment should rest with the Government, responsible to Parliament, rather than with the assistant-barristers or sheriffs.

SIR EDWARD GROGAN said, that the sooner the monster abuse arising out of the existing mode of appointing bailiffs to execute civil bill decrees was got rid of the better; but he did not approve the plan adopted in the present measure for that purpose. While a constitutional officer like the sub-sheriff was in existence, he ought to be made to perform his duty; and it would be much better to pay to him the money that was proposed to be given to a new officer, and thus get rid of the principal difficulty which had arisen. There were three provisions in the Bill which he regarded as exceedingly valuable. Those were the proposed enactment with respect to the non-seizure of the growing crops, though he should have been better pleased to see a short Bill by itself introduced on that subject—the power taken in the Bill of paying the expenses of witnesses—and the authority given to the judge to amend the proceedings, so that justice might not be defeated by an error arising from mere oversight. Further time, however, was required for the consideration of the measure. There was no analogy between the system of high bailiffs in England and that proposed in the Bill, for the jurisdiction of English county courts was only civil, whereas the Irish county courts had both civil and criminal jurisdiction There was no conflict or confusion of authority in England between the sheriff and high bailiff, but both would certainly arise under the different jurisdiction that existed in Ireland. On the whole, he thought the Bill should be postponed till next year; but meantime the Government should deal with the power to seize the growing crops.

SIR FREDERICK HEYGATE said, sufficient notice had not been given of the Bill. It was a subject that the Government ought to postpone until the grand juries in Ireland, who were about to meet, should have an opportunity of giving an opinion on it.

MR LONGFIELD said, the Government deserved credit for dealing with this important subject, but the fact of the importance of the subject was the reason why it should receive great consideration. Although his opinion was in favour of special bailiffs as appointed under the Bill, he could not but forget that the system had been tried in the Act of 6 & 7 *Will.* IV., c. 74, and had turned out inoperative, or that it was repealed in the very next year. While cordially supporting the main principle of the Bill, he thought that more time should be allowed for its consideration; and he hoped that if they read the Bill a second time, it would not be pressed further during that Session.

MR. LEFROY remarked that he had received communications from various quarters in Ireland which led him to think that a postponement of the further progress of the measure was desirable.

Mr. MONSELL said, he had not heard any objection to the principle of the Bill. Irish Members were well informed on the subject; they knew there was a great grievance to be remedied, and he hoped they would assent at once to the Motion for the second reading. The details might be considered in Committee.

Lord CLAUD HAMILTON expressed the hope, that if the Bill should be postponed till the next Session, the question of the seizure of growing crops would be made the subject of a separate measure, to be introduced and passed as speedily as possible.

Sir ROBERT PEEL said, he was glad that the House was unanimous in feeling that the principle of the Bill had been most fairly and ably explained by his right hon. and learned Friend the Attorney General. The Bill had been before the House several weeks, having been printed on the 19th of May, and therefore some time had been given to consider it; and if the House would read it a second time, they would postpone the Committee till Monday week. He believed that the cost of carrying out the measure would not exceed £11,500, and the Treasury had consented to the expense on condition of their receiving the fees under the Act. With respect to the patronage which would be created under it, the Government were prepared, though reluctantly, to undertake it in deference to the opinion of the House. The 49th clause was introduced to remove a hardship to which a poor occupier was subject—namely, the seizure of his crops when they were not one-tenth of their regular value. If the measure was not likely to pass, he would consider the propriety of introducing that clause as a separate Bill, but he would not give a pledge to that effect.

Colonel DUNNE said, he did not think the postponement of the Committee till Monday week would allow sufficient time to elicit the opinion of Ireland on the much-debated question. That was a date at which most Irish Members would be absent, attending on their assize duties.

Lord NAAS said, the Government would find it impossible to discuss the Bill in Committee on Monday week, owing to the pressure of other business. There were objections to the principle of it which were worthy of consideration, such as the cost which the working of the Bill must entail on the country, and the additional cost which it must cause to the parties themselves. Then there was the expense of witnesses to be thrown on the litigant parties. Again, the high bailiff would have the power of calling out the *posse comitatus*, so that there might be a collision of jurisdiction between that official and the high sheriff. He thought the Bill ought to be sent to a Select Committee.

Bill read 2°, and *committed.*

Motion made, and Question proposed, "That the Bill be committed to a Committee of the Whole House."

Mr. LONGFIELD said, he would move that the Bill be referred to a Select Committee instead of a Committee of the Whole House. The matters in the Bill, especially those which had reference to the duties of sheriffs, required the greatest consideration, far more than could be given to them late in the evening or at a morning sitting. If the Government acceded to his Motion, he would be glad to allow the right hon. Gentleman to nominate the Select Committee.

Amendment proposed, to leave out the words "Committee of the Whole House," in order to add the words "Select Committee,"—(*Mr Longfield,*)—instead thereof.

Sir ROBERT PEEL said, he hoped the House would not agree to the Motion; and if the time between the present and Monday week should not prove sufficient, the Government would name Thursday fortnight for the Committee. It would be far better to discuss the provisions of the Bill in a full House than in a room upstairs. The objections which had been put forward would be fully considered by the Government before the House went into Committee on Monday week.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided:*—Ayes 40; Noes 36; Majority 4.

Main Question put, and *agreed to.*

Bill *committed* for *Monday* 29th of June.

DOMESTIC SERVANTS AND APPRENTICES PROTECTION BILL.

On Motion of Viscount Raynham, Bill for the Protection of Young Persons under the age of sixteen years, engaged as Domestic Servants and Apprentices, *ordered* to be brought in by Viscount Raynham and Mr. Beamish.

Bill *presented,* and read 1°. [Bill 168.]

CORPORAL PUNISHMENT IN SCHOOLS BILL.

On Motion of Viscount RAYNHAM, Bill to regulate Corporal Punishment in Schools and elsewhere, *ordered* to be brought in by Viscount RAYNHAM and Mr. DUNLOP.

Bill *presented*, and read 1°. [Bill 169.]

WALMER VESTING BILL.

On Motion of The Marquess of HARTINGTON, Bill for vesting in Her Majesty's Principal Secretary of State for the War Department certain Lands and Hereditaments at Walmer, in the county of Kent, *ordered* to be brought in by The Marquess of HARTINGTON and the JUDGE ADVOCATE.

Bill *presented*, and read 1°. [Bill 170.]

HOWTH HARBOUR BILL.

On Motion of Mr. PEEL, Bill for the further improvement of the Harbour of Howth, *ordered* to be brought in by Mr. PEEL and Mr. MILNER GIBSON.

INCLOSURE (NO. 2) BILL.

On Motion of Mr. BRUCE, Bill to authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners, *ordered* to be brought in by Mr. BRUCE and Sir GEORGE GREY.

Bill *presented*, and read 1°. [Bill 167.]

House adjourned at half after Five o'clock.

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HOUSE OF LORDS,

Thursday, June 18, 1863.

MINUTES.]—PUBLIC BILLS—*First Reading*—Sheep and Cattle (Scotland) * (No. 144); Metropolis Turnpike Roads Act Amendment * (No. 145).

Second Reading — Local Government Supplemental * (No. 130).

Select Committee — *Report*— Thames Embankment (North Side) * (No. 107).

Report — Prison Ministers (No. 43 & 146); Bleaching and Dyeing Works Act Amendment * (No. 29).

Third Reading—Redemption of Rents (Ireland) [H.L.] * (No. 139), and *passed*; Salmon Fisheries (Scotland) Act Continuance * (No. 138), and *passed.*

THE INDIAN NAVY.—QUESTION.

THE EARL OF ELLENBOROUGH wished to ask the noble Duke at the head of the Admiralty, What arrangements had been made between the Admiralty and the Indian Government consequent upon the abolition of the Indian navy. He understood that all the war services formerly performed by the Indian navy were to be henceforth performed by ships of the Royal navy; but that the Indian Government was to retain a certain portion of the vessels under its control for the conveyance of troops and stores.

THE DUKE OF SOMERSET said, that there would be a small local navy for the transfer of troops and stores from one part of India to another; but for the general naval protection of India—or what might be called Imperial purposes—the Admiralty at home would provide.

THE EARL OF ELLENBOROUGH asked who was to have the direction and distribution of the force?

THE DUKE OF SOMERSET said, that for all Imperial purposes the direction would rest with the Home Government; but the Governor General would have power to call upon the commanders to do certain duties in India.

THE INTERNATIONAL EXHIBITION BUILDING.—QUESTION

THE DUKE OF RUTLAND rose to put a Question relative to the proposed purchase of the Exhibition Building. He believed that any attempt to adapt a building erected for a temporary purpose to a purpose totally different from that for which it was originally intended could not but signally fail. With regard to economy, none of their Lordships would deny that the building as it stood was not adapted for the purpose for which it was now required. This must be the case, for it was proposed to spend £264,000 for the mere purpose of altering it so as to make it suitable. It was extremely difficult to arrive at the true value of a building of this kind; the only manner in which it could be approximated was by taking the raw material of the building as it stood. Of this raw material the bricks were the most valuable. In the building as it stood there were 6,000,000 bricks, and putting these at £1 per thousand the whole value of the bricks would be £6,000. The timber and iron would hardly be of equal value, and how the price of the building had been got up to £80,000 he was at a loss to find out. His belief was that it would be dear at £30,000, and even £20,000. He, therefore, hoped that on the ground of economy Her Majesty's Government would not purchase the building. With regard to the architectural taste of the building, public opinion had so entirely condemned it that it was hardly necessary to say a word on that point.

Certainly, he had not the slightest faith in its being made ornamental by any powers of stucco. Close by it there certainly was another building, which for enormity of hideousness could not be matched in any part of any country in the world. In all his travels through the manufacturing and agricultural districts he had never seen anything which for ugliness equalled the Kensington Museum. It had been proposed in another place to appoint a permanent official who should have the superintendence of the Government buildings, and the same suggestion had been made by the President of the Royal Academy. He should very much like to see that project carried into execution. In the middle of the Horticultural Gardens there had recently been erected a very handsome statue, by Mr. Durham, to the memory of the late Prince Consort, and immediately above it it was proposed to erect a great national testimonial to his merit as the patron of the arts and sciences of this country. He submitted that it was most desirable, if a large building was to be erected in the neighbourhood for the reception of part of our national collections, that there should be some harmony of style between the two. His wish would be that the whole of that property should be one great testimonial to His Royal Highness. Instead of taking the bare four walls of this building and turning it into a museum, he would suggest that his noble Friend should take the opinion of some eminent architect, or—what would perhaps be still better—submit the design to public competition, in order that a building might be raised which really would be a second memorial worthy of the lamented Prince. The Question he wished to put was, Whether the noble Earl opposite was aware of the nature of the foundations of this building; and whether, in his opinion, it would be necessary, in order to make it a permanent structure, to re-drain the whole of the ground on which it stood?

Earl GRANVILLE: My Lords, it is hardly necessary to follow my noble Friend into all the points into which he has gone. He says truly that after the Vote of the House of Commons the other night the question of the purchase of the land is virtually settled. With regard to the question of economy, I really do think it quite idle for noble Lords, without any professional knowledge, going into these details, about how much a certain quantity of bricks and iron and timber ought to sell for. I believe my noble Friend has ridiculously understated their value in this case. The course the Government ought to take is to get the best professional advice on the subject; but I demur to the calculations of amateurs in this House as to how much what the noble Duke calls "raw materials" are worth. With regard to the question of taste—I have no pretensions to taste, and am sometimes glad that I have not, for those who do pretend to have taste certainly entertain diametrically opposite opinions as to what ought to be. My noble Friend, who couples taste and economy together, says we ought to pull this building down, though one part was universally admitted to be admirably suited for its purpose. Except by some violent critics of a partisan character the picture galleries were allowed to be the best ever constructed—certainly in this country—and I hardly know any gallery so well adapted for displaying a large number of pictures in a good light and at the same time accommodating a large number of people. My noble Friend, when he talks of pulling down this building, clearing the site—a matter of no small expense—and then constructing sixteen acres of a building which shall be in harmony with the monument to the Prince Consort—an entirely different thing, in my opinion—seems to have entirely lost sight of the economy which he coupled with taste. I have not the slightest doubt that the sum required for putting the present building into a state of complete repair, and giving it a pleasing appearance, would be incomparably smaller than that which would be required for pulling it down and building another one in its place. The noble Duke throws great ridicule on the idea of giving the structure an ornamental appearance by means of stucco; but there are some buildings in London which, it appears to me, are not deficient in beauty, and which are faced with stucco. The Travellers' Club is finished in that way, and the building of the Royal Institution has a very ornamental facing of stucco. I should be very glad indeed if we could have all our public buildings faced with stone; but when we come to deal with large spaces, and with buildings of great size, we must be mindful of economy. I do not think it would be right to demand from the House of Commons the large sums which would be required for the erection of those palatial edifices if they were to be all that could be desired both in material and form; and under these circumstances I submit that the view taken by the Government cannot be considered an unreasonable one.

The Earl of DERBY: My Lords, I think that we should have the fullest information that can be obtained with reference to this subject. I think the Government should have obtained that information before they put to the House of Commons the question as to the purchase of the buildings and the purchase of the lands. It appears, however, that the Government are not in possession of any estimate of the comparative economy of improving as compared with building. I hope they will obtain information on that point, and that such information will be laid before the House of Commons without prejudice to the merits of the whole question. My noble Friend (Earl Granville), in speaking of the advantages which would arise from adopting the present building, referred to the expense of pulling down. Without going into the merits of the general question, I would ask my noble Friend whether the cost of pulling down would not have to be defrayed by the contractors? Certainly I agree with my noble Friend that it would be difficult to find any picture gallery possessing greater advantages in respect of light and other points than that in the Exhibition Building, apart from the question of site. I wish to make an inquiry of my noble Friend, not as a Member of this House, but as a Commissioner of the Exhibition of 1851. I was summoned to attend a meeting of the Commissioners to sanction an offer of £120,000 for the ground, which, at the lowest estimate, is worth £250,000. My noble Friend is aware that the reason we felt justified in accepting so low an offer was, that the site was to be applied to the purposes for which it was originally intended—to the purposes of science and art. I want to know from my noble Friend why, of the sum of £120,000 so accepted, only £67,000 has been asked of the House of Commons this year, leaving it to the caprice of Parliament to grant or withhold the balance? I am at a loss to account for this, as I had understood that the whole of the purchase money of the land was to be paid down at once.

Earl GRANVILLE: With regard to the first Question of my noble Friend, it is true that the contractors are bound to pull down the building, if it be not purchased by the Government; but there would be the expense of replacing the ground.

The Earl of DERBY: I apprehend that the contractors are bound to replace the ground.

Earl GRANVILLE: With regard to his other Question, my noble Friend ought to call a meeting of the Commissioners and put it to them. None of the details were entered into at the meeting to which my noble Friend refers. They were left open. As to the payment of the remainder of the purchase money being subject to the caprice of Parliament, it cannot for a moment be apprehended, that after sanctioning the purchase, the House of Commons would refuse next year to vote the sum necessary for its completion.

Lord REDESDALE observed that the noble Earl seemed to base his arguments on the value of the building as it stood; but as the contractors were bound to take it down if the Government refused to have anything to do with it, he thought it could be got for the sum named by his noble Friend (the Duke of Rutland) £30,000.

Earl GRANVILLE: I can assure the House that the Government have had the very best professional opinion as to the value of the present building. There would be very great difficulty in coming to an exact estimate of comparative cost, such as that spoken of by my noble Friend opposite (the Earl of Derby), because you must decide on the precise character of the structure you would erect instead of the present building, before you could arrive at such an estimate.

The Earl of HARDWICKE said, it was manifest the Government were in favour of keeping the present building. Now, as a general rule, it was a very disadvantageous thing to buy a building erected for temporary purposes to apply to a permanent use. If the Government bought the old building as a building, they would pay much more for it than if they purchased it as old materials; and as the contractors were bound to take it down, there was no reason why the Government should not purchase it as old materials. If they dealt with the contractors on this footing, the Government would have a great advantage, for by disposing of it to them the contractors would not be at the cost of pulling it down and taking it away. He had no intention of saying anything in disparagement of professional men, but he had observed there was a great tendency among them to hang together; and consequently, when the Government took the opinion of the builders, contractors, and architects, they ran a great risk of having a unanimous opinion from those parties that the building was a good one, and suitable to all the purposes to which it was intended to apply it. No doubt the picture gallery was a very good one; but a good picture gallery might be copied in any building they might erect. Having seen something of buildings, and, as a landed proprietor, having built a good deal in small way, his decided opinion was that any one who undertook to patch up an old and temporary building in order to render it handsome and permanent, would have to spend a great deal more money than if he rased it to the ground and erected a new and much superior structure in its stead.

THE DUKE OF ARGYLL said, that the question whether it was expedient to retain the building was, as one of evidence, dependent on the opinion of professional men, and it was futile for persons without professional experience to express an opinion. The noble Earl opposite (the Earl of Hardwicke) had laid it down that no building erected for temporary purposes could possibly be of use for permanent purposes. But this depended on the manner in which the building had been constructed. Parts of such a building might indeed be useless, but other parts—such as, in this instance, most of the brickwork—might be turned with advantage to permanent use. As to the value of the materials, although the contractor was bound to remove and sell them, yet much would depend upon the time within which he was bound to do so. If he were obliged to pull down and remove the building suddenly, he might have to dispose of the materials at an immense loss; whereas if the time were ample, he would be able to make much more of them. Now, the terms of the arrangement in this instance were so vague that the contractor would have a long time to dispose of the materials.

PRISON MINISTERS BILL—(No. 137.)

REPORT.

Amendments *reported* (according to Order): (*The Duke of Somerset.*)

LORD BROUGHAM said, he was only astonished that such a measure should have been reserved for the year of Grace 1863. He thought the arguments against making this Bill compulsory were conclusive. He had only one doubt, and that was as to the application of the Act by the magistrates at the Quarter Sessions. It would probably give rise to theological discussions in a tribunal perhaps of all others the least adapted for them. He had no doubt whatever, notwithstanding the doubts which had been expressed by others, that the Act would come into operation in every case where it was intended by the framers of the measure that it should operate.

Clause 4 (Keepers of Prisons to register Religion of Prisoners).

THE EARL OF BELMORE said, that the noble Duke (the Duke of Somerset), in moving the second reading of the Bill, stated that the object of this clause was to prevent improper communications. Now, that was a very vague expression; and besides, he (Lord Belmore) thought that the machinery provided by the clause was hardly sufficient to effect that object, which he understood to be, the preventing these ministers from attending or visiting prisoners of a denomination differing from their own. He did not move this Amendment in any hostile spirit, for he thought that the principle of the Bill was fully justified by the speeches of the noble Duke and of the noble Earl (the Earl of Derby); but this question seemed to be misunderstood in some quarters. There seemed to be an idea that there was some latent object in the Bill to subvert the privileges of the Church of England; in fact, he had seen it stated within the last day or two in an article commenting on the noble Earl's (the Earl of Derby's) speech, "that the intention of this measure was to open the door for proselytism to the Roman priesthood." Now, any person who would take the trouble to read the noble Earl's speech candidly and carefully through, must see that he, at any rate, had no such intention in supporting the Bill. He did not believe the noble Duke had any such intention; and certainly, if he (Lord Belmore) had thought that there was any such latent object, he he would not have given his vote for the second reading. At the same time, he thought it was better that there should be no doubt on the subject, and he therefore hoped that the noble Duke would assent to the insertion at the end of the clause of these words, which he would move—"But no such minister shall be permitted to attend or visit any prisoner belonging to any religious denomination differing from that to which such minister belongs."

THE DUKE OF SOMERSET suggested, that the Amendment should be postponed till the third reading, and in the mean time he would consider if it could be inserted.

THE EARL OF BELMORE assented to this course.

Further Amendments *moved*, and *negatived.*

Amendments *moved*, and (by leave of the House) *withdrawn.*

Bill to be read 3ª, on *Monday* next; and to be *printed*, as amended. (No. 146.)

VACCINATION.—QUESTION.

LORD LYTTELTON asked the Lord President, Whether it was the intention of Her Majesty's Government to bring in any Measure amending the Vaccination Acts? The country had just passed through one of those panics on the subject which were of periodical recurrence, and which were well known to those connected with the administration of the affairs of boards of guardians, and which would continue to recur while the law was in its present imperfect state. The Act of Parliament on the question, which he had introduced, like much amateur legislation, was not perfect, and he had brought in a Bill for its amendment, which passed their Lordships' House without the slightest difficulty, but which was rejected by the Commons. Since then very little had been done. There had been some little further legislation, but there was still something wanting; for at this moment, in one or two of the smaller kingdoms of Europe, small-pox had been entirely eradicated by vaccination—a result which was far from being attained in this country. The Epidemiological Society, through their President, Dr. Babington, offered four suggestions for the amendment of the existing state of the law, which he thought would be well deserving of the favourable consideration of the Government in dealing with the subject. These suggestions were, first, that provision should be made for the systematic local supervision of vaccination; secondly, that more effectual means should be provided, whereby the local authority might ascertain who were or were not vaccinated in the district under their jurisdiction; thirdly, that there should be an extension of the age within which vaccination must be performed in those districts in which, from the limited population, vaccination from the arm could not be maintained periodically; and fourthly, that there should be an extension of the powers of the Privy Council over local arrangements for vaccination, as far as was necessary to secure the more effectual maintenance of local supplies of fresh lymph. After having stated those recommendations, he had, in conclusion, only to ask whether the Government contemplated the proposal of any amendment of the law during the present or the next Session.

EARL GRANVILLE said, that the Government were alive to the importance of the subject, and that the expediency of affecting an amendment of the existing law was under their consideration.

LORD LYTTELTON expressed a hope that any improvement of the existing system would be extended to Ireland.

THAMES EMBANKMENT (NORTH SIDE) BILL.

Reported from the Select Committee, with Amendments; and Bill *committed* to a Committee of the Whole House on *Monday* next: (*The Lord Stanley of Alderley.*)

OFFENCES (SOUTH AFRICA) BILL [H.L.]

Returned from the Commons, *agreed to*, with Amendments: Bill, with the Amendments, to be *printed.* (No. 143.)

CAYMAN ISLANDS BILL [H.L.]

Commons' Amendments *considered* (according to Order), and *agreed to.*

House adjourned at half past Six o'clock, till To-morrow, a quarter before Five o'clock.

HOUSE OF COMMONS,

Thursday, June 18, 1863.

MINUTES.]—SUPPLY—*considered* in Committee —CIVIL SERVICE ESTIMATES.

PUBLIC BILLS—*First Reading*—Postmaster General (Sale of Land)* [Bill 174]; Howth Harbour [Bill 175]*.

Second Reading—Public Works (Manufacturing Districts [Bill 154]; Mutiny (East India) Act Repeal* [Bill 166]; Sir Robert Hitcham's Charity* [Bill 160]; Ruthin Charities* [Bill 161]; Newcastle upon Tyne (Saint Mary Magdalen Hospital) [Bill 162]; Stipendiary Magistrates* [Bill 150].

Select Committee — on Election Petitions Bill, *nominated** (*List of Committee*).

Report of Select Committee — Thames Embankment (South Side)* [Bill 171], and *re-committed;* Partnership Law Amendment* [Bill 172], and *re-committed.*

Committee—Charitable Uses* [Bill 164]; Militia Pay* [Bill 163]; Land Drainage (Provisional Orders) [Bill 85], *on re-committal.*

Report—Charitable Uses*; Militia Pay*; Land Drainage (Provisional Orders) [Bill 173].

Third Reading—Marriages Registration (Ireland) [Mr. Monsell]* [Bill 118], and *passed.*

LONDON (CITY) TRAFFIC REGULATION BILL [*Lords*]—(*by Order.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. AYRTON said, that the object of the proposed measure was to set up a peculiar and exceptional law with respect to the regulation of traffic in those parts of the metropolis within the City. The powers which the law would confer were to be exercised by the Court of Aldermen; but if the Bill were passed, the result would be that the inhabitants of the metropolis at large would be placed at the mercy of the civic authorities, inasmuch as any one engaging a cab at Charing Cross, or any other part of the town not in the City, would find himself subject to a different set of regulations from those which prevailed outside the City boundaries the moment he got through Temple Bar. It was true that the assent of the Secretary of State would be required to the by-laws which the Bill would enable the Court of Aldermen to frame, before they could be put in force; but he, for one, was opposed to have authority delegated to the Secretary of State and a small civic body to regulate the traffic of the whole of London. The general law on the subject now in existence was found satisfactory to nine-tenths of the metropolis; and if it did not work so well within the City, it was because the authorities there had not the moral power and influence to carry it properly into effect. The Bill ought not, he maintained, at all events, to be introduced as a private Bill, and he should move that it be read a second time that day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Ayrton.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. MASSEY said, that he could not agree with the hon. and learned Member who had just sat down, that the Bill ought not to be introduced as a private measure. He could conceive nothing more pertinent to the object of a private Bill than the regulation by a municipal or local authority of the traffic of the streets comprised within its jurisdiction; and he was surprised to hear such an objection as that come from his hon. and learned Friend, who avowed himself an advocate of local self-government. The subject was properly the subject of a private Bill, and he thought that a better private Bill had not been submitted to that House during the present Session. He very much wished that its provisions could be extended to Westminster; for, what with beggars, and prostitutes, and street music, and crawling cabs, more was endured by the inhabitants than was endured by the inhabitants of any capital in Europe; and he wished that the provisions of this Bill could be extended so as to include not only the City, but the rest of the metropolis. He hoped the House would not hesitate to refer the Bill to a Select Committee, and that the Select Committee would not impair its provisions.

MR. CRAWFORD said, the House would not fail to perceive that the speech of the hon. and learned Member (Mr. Ayrton) was characterized by the hostility he showed on every occasion to the corporation of the City of London. Considering the great inconvenience caused by the ever increasing traffic, and that shortly there would be three terminal railway stations within a radius of a quarter of a mile from the Bank, he thought the time had arrived when power should be given to the corporation to regulate the traffic. The commercial classes looked with great distrust on the measure, but he was satisfied the Court of Aldermen would exercise the power with due deference to public opinion. He hoped the Bill would pass, with such amendments as might be found desirable.

MR. LOCKE said, that he had always been in favour of municipal institutions. But he did not think it was wise that a municipal corporation, which only exercised authority over a portion of the metropolis, should be allowed to make laws for the whole of the metropolis. Yet that was what was proposed by the Bill. It conferred, with respect to the regulation of the weight of waggons and the size of their wheels, most arbitrary powers, which if exercised would preclude all waggons which were not of a specified description from going through Temple Bar. The Bill ought to have been a public measure, and it would then have been referred to a Select Committee of fifteen instead of a Select Committee of five. A Committee of five was the very worst selection ever made in the House. It was such a Committee that had sanctioned the frightful viaduct just on the other side of London Bridge, and the one which was to be erected over Ludgate Hill, which were, he contended, a disgrace to the age. He thought, however, that the Bill was unnecessary, because under the present City Police Act the Chief Commissioner of the City Police had the power to make all requisite regulations for the City traffic.

MR. COX said, that the power which the Chief Commissioner at present possessed of appointing routes for traffic had reference only to the occasions of public processions, rejoicings, or illuminations. He was of opinion that some measures should be taken to regulate the traffic in the crowded streets of the metropolis. For his own part he had often experienced great difficulty in getting along them. Although the Bill contained some objectionable clauses, there were others in it which he believed would be found most useful, and he should therefore support the second reading.

SIR GEORGE GREY said, that while he admitted the inconvenience of legislating separately for different parts of the metropolis, he thought it would be contrary to precedent to reject the Bill on the second reading. He pointed out that the operation of this measure would not be entirely confined to the City. It might be a question whether, after the Bill came from the Select Committee, it should not be considered by a Committee of the Whole House.

SIR JOHN SHELLEY said, that if the Bill was referred to a Select Committee, the rest of the metropolis would have no *locus standi* to appear before the Committee to show the injury which it might inflict upon the outlying districts.

MR. SCULLY said, that he must protest against the doctrine that only metropolitan Members were interested in legislation connected with the metropolis. When money was required for improvements hon. Members heard quite a different story. He only recollected one proposition of an equally modest character, and that was when Mr. Train wanted to obtain a monopoly of all the thoroughfares in England.

MR. AYRTON, in consequence of what had fallen from the Secretary of State for the Home Department, said he would withdraw his Amendment.

SIR JOHN SHELLEY begged to give notice that to-morrow he should move that the Bill be referred to a Committee of fifteen.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read 2°, and *committed.*

FORTIFICATIONS—QUESTION.

SIR MORTON PETO said, he would beg to ask the First Lord of the Treasury, When he proposes to bring in a Bill on the subject of a Loan for Fortifications, and whether he proposes to re-commence the suspended works of the Spithead Forts?

VISCOUNT PALMERSTON: I hope, Sir, very shortly to be able to introduce the Bill in question. It will be brought in as soon as the other business permits, and, in doing so, I shall have to explain its details.

EDUCATION—REVISED CODE.

QUESTION.

SIR JOHN PAKINGTON said, he wished to ask the Vice President of the Committee of Council on Education, What construction is placed by Her Majesty's Government on Articles 150 and 151 of the Revised Code, and in what manner those Articles will be carried out by the Committee of Council; also, whether, in the opinion of the Committee of Council, the proper time for taking exception in Parliament to a new Minute is within a month from the time the Minute is first laid upon the table; or, within a month from the publication in January, under Article 151, of any alterations or modifications which may have been made?

MR. LOWE: The words, Sir, in these Articles were not those of the Committee of Council originally, but were part of the compromise effected by the right hon. Gentleman the Member for the University of Cambridge (Mr. Walpole). It was our duty, before accepting that compromise, to consider these words, and to put a construction upon them. On the faith of that construction we accepted the compromise, and have continued to act upon it ever since. I am afraid I cannot make that construction clearer than I did the other night, but I will endeavour to repeat what I then said. I will take Article 151 first. The words are these—

> "In the event of such revision or material alteration as mentioned in the last foregoing Article, it shall not be lawful to take any action thereon until the same shall have been submitted to Parliament, and laid on the table of both Houses for one calendar month."

That I take to mean, that when we make any revision or material alteration in any article of the Code, that revision or material alteration must be laid on the table of the House for one month before the Committee of Council are at liberty to act upon it. Article 150 is as follows:—

> "In January of each year, if the Code be revised, or any material alteration in it be necessary it shall be printed in such a form as to show separately all articles modified or cancelled, and all new articles."

The words "in January of each year," with which that clause begins, appear to me to belong to the middle of the clause: both grammar and sense forbid us to read them in any other position. The article amounts to this—that all the changes in our Minutes which have been introduced in the course of each year shall in the next January be gathered together in one copy, and be printed in a manner showing separately the articles cancelled or modified. The meaning of the two articles appear to me to be—first, that we shall not act on any Minute till it has been laid for a month on the table of this House; and secondly, that Parliament and the country shall have an opportunity of reviewing not only what we did separately on each Minute, but, in the aggregate, when the alterations are collected, printed, and laid before Parliament. That I take to be the construction and the whole meaning of those articles. I do not find in them anything like the meaning which the right hon. Gentleman seemed to imply the other night—namely, an undertaking that the Committee of Council should be prohibited from making any new Minutes except in January of each year. Such a clause would be attended with great inconvenience. The operation of all these clauses would have to be deferred for another year if they could not take effect until January. I will give an instance. We had occasion to make a Minute in May last, giving assistance to certain of our Inspectors. If we had not been in a condition to make that Minute until January, we should have been left for half a year without proper machinery, and great inconvenience would have ensued. The right hon. Gentleman asks me also what is the proper time for taking exception in Parliament to a new Minute. Those Minutes so made by the Privy Council have no force or validity, except so far as they meet with the implied assent of Parliament, and therefore it is competent to any hon. Member to take exception to any Minute at any time, and it can never be improper for any hon. Member to do so. But if an hon. Member wished to prevent a Minute from coming into force altogether, the proper time to take exception to a Minute is within a month after the Minute has been laid on the table, and has no more reference to the period of January than to any other period in the course of the year.

FORTIFICATIONS ON BREAN DOWN.

QUESTION.

Sir WILLIAM MILES said, he would beg to ask the First Minister of the Crown, Whether Government has purchased land on Brean Down for the purpose of Severn defences; and, if so, when Government purposes beginning the intended fortifications on Brean Down?

Viscount PALMERSTON replied, that it was true that the Government had bought land on Brean Down, upon which it was intended to erect a battery. But no proposal had as yet been made to Parliament on the subject, nor was it intended to make any proposal to Parliament until the ensuing Session.

SUB-INSPECTORS OF FACTORIES.

QUESTION.

Lord JOHN MANNERS said, he wished to ask the Secretary of State for the Home Department, Whether the Memorial presented on the 28th of April from manufacturers and others in favour of raising the pay and allowances of the Sub-Inspectors of Factories was still under the consideration of Government; and, if not, whether he has any objection to produce it, together with a previous Memorial to the same effect, and any Correspondence relating thereto?

Sir GEORGE GREY, in reply, said, there had been two memorials presented on the subject—one from the manufacturers, and the other from the Chief Inspectors. Those memorials had been answered. There was no objection to lay them on the table.

THE INDIAN BUDGET.—QUESTION.

Mr. ARTHUR MILLS said, he would beg to ask the Secretary of State for India, When he intends to make his Financial Statement?

SIR CHARLES WOOD: The Indian accounts are not yet received. I suppose hon. Members would wish them to be deposited before I make my statement; and until I know when they will be ready, I cannot name the day.

THE CASE OF PAYMASTER SMALES.

QUESTION.

MR. CUNINGHAME said, he rose to ask the Under Secretary of State for War, Whether he will lay upon the table of the House a Report of the Court Martial on Paymaster Smales of the 6th Dragoons; together with any paper or memorandum connected with the trial?

THE MARQUESS OF HARTINGTON, in reply, said, the proceedings of this Court Martial had been already brought very prominently before the notice of the House, and a great many considerable extracts of the evidence had been already published. The subject had been recently debated in that House, and Mr. Speaker had decided that the hon. Member for Brighton was in order in reading from papers in his own possession, but which were not generally in the possession of the House. It was perfectly true that the proceedings of the Court Martial had been published in India. Under these circumstances, the Government had no objection to lay on the table the proceedings of that Court Martial, as well as the observations made by the Commander in Chief in India in confirming them. He (the Marquess of Hartington) must add the expression of a hope that the House would not be disposed to consider this a precedent, or that the Government, in conceding the production of these papers, admitted the principle that it was in any way competent or expedient for the House to constitute itself into a court of criticism upon the proceedings of legally-constituted Courts Martial.

MR. CUNINGHAME said, he wished to know when the Papers would be laid upon the table?

THE MARQUESS OF HARTINGTON was understood to say immediately.

THE INDIAN ARMY.

QUESTION.

CAPTAIN JERVIS said, he rose to ask the Secretary of State for India, Whether, in case of an Officer retiring upon half-pay from one of the new Line Regiments, the step will be given to the Regiment to which he belonged; what course it is intended to pursue towards Officers of the late European Cavalry for whom there were no vacancies in the new Hussar Regiments, and who, from the reduction of their Regiments, are now thrown wholly out of employ; and why the proposed extra allowances to certain Regimental Colonels of the Indian Ordnance Corps are limited to £500 a year, instead of being on the same scale as those granted to Colonels of the Line and Cavalry—namely, as high as £1,000; and whether it is true that a Circular has been issued to those Colonels of the Ordnance Corps calling on them to elect at once whether they accept such extra allowance?

SIR CHARLES WOOD: Officers of non-purchase Regiments who have entered from the Indian Service will not retire upon British half-pay, but may retire under the regulations of the Indian service, and on their retiring a step will be given to the Regiment to which they belonged. Officers of the late European Cavalry for whom there were no vacancies in the new Hussar Regiments, retain their position in the Indian Army, and are available for general duty. The extra allowances granted to Colonels of the Line and Cavalry of the late Native Indian Army were offered in consideration of their having been deprived of the advantages which they enjoyed under the old system, of continuing to serve in India in command of Regiments until entitled to Colonels' allowances; and also with a view of reducing the number of Officers in those branches, which was beyond the present requirements of the service. With the Artillery, however, it is entirely different. The Artillery Officers gained by the amalgamation. The number of Field Officers was increased, and also the number of higher ranks. Great promotion was given, and the additional cost of the changes in the Artillery altogether was £71,000 per annum. There is no wish to reduce the number of officers, and consequently all vacancies occasioned by retirements will be filled up by promotion from the junior ranks. The extra allowances offered to Colonels of the Indian Ordnance Corps were proposed to be granted, because, although those corps at large received great advantages by the re-organization, it was believed that there was a limited class of Officers whose prospects might have been injuriously affected by the retardation of their succession to the Colonel's allowance. A Circular has been issued to those Officers who are in this country, informing them of the proposed offer, and stating that if they accept it, they must so time their applications as to reach the Adjutant General's Office of the Presidency to which they belong on or before the 31st of August next.

RATE IN AID FOR DISTRESSED UNIONS.

QUESTION.

Lord GEORGE CAVENDISH said, he wished to ask the President of the Poor Law Board, Whether he means to take any steps with reference to a rate in aid for the distressed Unions in the counties of Lancashire, Cheshire, and Derbyshire?

Mr. C. P. VILLIERS said, he understood his noble Friend to ask, whether, if the Bill authorizing a rate in aid was renewed, the Clause relative to that rate in aid would again be proposed. That Bill would not expire until September, and he was not at present in a position to say whether the House would pass that part of the Bill which provided for a rate in aid.

Lord GEORGE CAVENDISH said, it would be necessary to come to a decision before long, because, if the rate was to be renewed, the Bill must be immediately re-enacted.

EXPORT OF SALT TO FRANCE.

QUESTION.

Mr. TOLLEMACHE said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether any reply has been received to the renewed application for the admission of British Salt into France?

Mr. LAYARD said, in reply, that Her Majesty's Government had long been in communication with the Government of France on this subject. The French Government had appointed a Commission, which had concluded its investigation, but had not yet made its Report. That Report, however, he understood, would very soon be ready.

BISHOPRICS, &c. (IRELAND).

QUESTION.

Captain STACPOOLE said, he wished to ask the Chief Secretary for Ireland, When the Return relating to Bishoprics, &c. (Ireland), ordered on the 7th ultimo, will be laid upon the table of the House?

Sir Charles Wood

Sir ROBERT PEEL, in reply said, the Returns had not yet been made from the different dioceses, but a letter urging dispatch had been written to the Registrars.

BURLINGTON HOUSE AND THE NATIONAL GALLERY.

QUESTION.

Mr. HEYGATE said, he would beg to ask the First Commissioner of Works, Whether Her Majesty's Government intend to devote the space at the back of Burlington House to the Royal Academy; and, if not, whether they propose to appropriate such space to any other purpose than as a drill ground for Volunteers; and, if so, to what purpose, and how soon?

Mr. COWPER replied, that a scheme had been for a considerable time under the consideration of the Government for erecting a new National Gallery at the rear of Burlington House, and for leaving the existing National Gallery entirely in the possession of the Royal Academy. Until some final decision were come to on the part of the Government, he thought it advisable that the ground at the back of Burlington House should be appropriated for a time to the use of the Volunteers for the purposes of drill.

THE LISBURN ELECTION COMMITTEE.

QUESTION.

Mr. SCLATER-BOOTH said, in the absence of his hon. Friend (Mr. Evans), he would beg to ask Mr. Attorney General for Ireland, Whether his attention has been called to the Report of the Lisburn Election Committee; and, if so, whether it is his intention to institute criminal proceedings against John Doherty Barbour, esq., or any of the other persons who were proved before the said Committee to have been guilty of bribery at the last Election?

Mr. O'HAGAN said, his attention had been called to the Report of the Committee in question. He had considered that Report, and he had thought it his duty to inquire as to the practice of the House in matters of that description. Having done so, he discovered that the practice was uniform—namely, in the case of a Committee finding a person guilty of bribery, that the House had always taken the initiative in the prosecution. There was no instance, as he was informed, of any other course. He believed, however, that a different course had been taken in reference to the finding of Royal Commissions of Inquiry, but there was no other case in which the initiative was not taken by the House itself. In the present Session an Act was passed changing the practice, and casting upon the Attorney General the duty of considering such a Report, and, if he thought fit, of instituting proceedings upon it. That Act had, however, passed since the finding of the Committtee in question. He did not, therefore, think himself justified in departing from the established practice of the House, unless the House should think it necessary to order proceedings in the matter.

Mr. COLLINS said, he would then give notice that he should to-morrow call attention to the Report referred to, and to move a Resolution thereon.

THE INTERNATIONAL EXHIBITION BUILDING.—QUESTION.

Mr. CAVENDISH BENTINCK said, he would beg to ask the First Lord of the Treasury, Whether Captain Fowke has made any Estimate of the cost of repairing the Exhibition Building and of completing the same, in conformity with his published design, and whether there is any objection to lay such Estimate upon the table or to state its amount?

Viscount PALMERSTON said, in reply, that those plans referred to were voluntarily made by Captain Fowke and for his own information. The estimate of the cost made by that gentleman was not in the possession of the Government. But if the hon. Gentleman wished to move for the production of those plans and their estimated cost, they would, no doubt, be forthcoming.

Sir HENRY WILLOUGHBY said, he wished to know whether it is intended to bring forward the Vote for the purchase of the Exihibition Building on Thursday next.

Viscount PALMERSTON: Yes, I do not apprehend that there is any other business that will stand in the way.

Lord JOHN MANNERS said, he would beg to remind the right hon. Gentleman the First Commissioner of Works that he had intimated his intention of making a short statement on the subject of the disposal of Burlington House. Perhaps the House would consider it convenient if the right hon. Gentleman would make that statement before the Vote was proposed on Thursday.

Mr. COWPER said, he was not aware that he had ever promised such a statement. What he intended to have said was to the same effect as the answer which he had just given to an hon. Gentleman opposite (Mr. Heygate)—namely, that the disposal of Burlington House and Gardens was under the consideration of the Government, and he hoped shortly to be able to announce the decision come to by the Government on the matter.

Lord JOHN MANNERS said, what he wished to ask was, whether the right hon. Gentleman intends to make any statement on the subject before the Vote is taken on Thursday?

Mr. COWPER said, as the decision of the Government had not been come to as yet on the subject, it would be quite impossible for him to make any statement on or before Thursday.

PUBLIC WORKS (MANUFACTURING DISTRICTS) BILL—[Bill 154.]

SECOND READING.

Order for Second Reading read.

Mr. C. P. VILLIERS: Sir, upon the occasion when this Bill was introduced into the House, I was precluded by the lateness of the hour from making any statement as to its objects and provisions. I was then anxious, in deference to the wishes of those whom the Bill concerns, that there should be no delay in its circulation; and not being prepared for the opposition which was offered to the Bill by the hon. Member for Devonport (Mr. Ferrand), I laid it on the table without observation. For this reason I will, with the leave of the House, state very shortly the circumstances under which this Bill is submitted to its consideration.

Sir, this Bill is the natural, or, at least, the not unexpected result of an inquiry that was announced several weeks since as intended to be made by the Government with the view of ascertaining whether there was not something in the condition of the towns and populous places in the counties of Lancashire and Cheshire which, from the improvements that they required, might offer a resource for the employment of the unfortunate operatives who have been so long deprived of their occupation. That inquiry was prompted by the anxiety which was felt by the Government, and which would have been felt by any Government, at the continued dependence of so large a portion of the working population at a given spot upon charitable or parochial relief. Though we have many reasons to be satisfied and, indeed, grateful for the ample means that have been contributed for the maintenance of this numerous body of working men when the calamity first befell their trade, coming as they did from all parts of the world and from all classes of society; yet it is impossible not to be alive to the evil consequences of so large a number of people continuing for so long a time to derive their maintenance from these sources. Moreover, with the distant prospect there is at present of their trade reviving, it became an urgent question how these men were to be kept from a continued state of idleness and want of occupation. The House will remember that upon the discussion that took place on this subject it appeared there was a very general feeling in the country that something should be done, with the view, if possible, of changing the condition of those people, and placing them in a healthier relation to the rest of the community. Various measures were suggested on that occasion, such as the dispersion of the people over the country, emigration, and their employment on independent labour near to their homes. It was to ascertain whether there were any means for obtaining fresh employment near their homes that the Government sought for information with a view to relieving them from their humiliating position of exclusively depending upon charity, and of finding for them work, if possible, at remunerative wages. The Government had not contemplated the establishment of any system of works over which they would be the superintendents, or of relieving the localities in question from their legal obligation to support their own poor. Still less would they be instrumental in superseding labourers who were already engaged in a particular industry, for the purpose of providing occupation for the operatives that were then unemployed. With these views, however, the Government decided to appoint competent persons to proceed to those districts where it was supposed that works might be required, and independent labour could be employed, and there to institute the inquiry that has been made. It was for this purpose that my right hon. Friend the Home Secretary issued his instructions to the civil engineer attached to the Department connected with the local government of the towns of this country over which he has control, and directed him to inspect the towns, ascertain their general condition, the character of the drainage, the extent of the water supply, the state of the streets, the provision made for parks and pleasure-grounds for the recreation of the inhabitants, and the general sanitary arrangements of such localities. My right hon. Friend directed the engineer to form an opinion as to the works of utility which could be executed; to give an estimate as nearly as possible of the cost of such works; to lay suggestions on the point before the local authorities; to explain the results that might be obtained by the execution of the works, both in the improvement of the towns and the employment of the distressed operatives at a fair rate of wages; to explain also what the Government intended to do, and to mention that the Government had no intention to establish works, such as guardians of the poor and overseers are obliged to establish, as matters of discipline or tests for the detection of imposture. We hoped that by the information thus obtained a plan of employment might be devised which would provide for the execution of works of public utility and lead indirectly to a great demand for labour.

There was no delay in the course that was pursued, for within a few days after the discussion that took place in this House the gentleman selected as civil engineer—Mr. Rawlinson — proceeded to the districts where he was to make his inquiry, and we were able, within the time in which it was calculated that a competent person could make a Report, to place his Report upon the table of the House, stating generally the result of the inquiry. That gentleman was happily selected for the purpose. He is a native of the county, familiar with the districts in question, alive to the deficiences of those towns, and well acquainted with the particular circumstances under which they are placed at present. He was accompanied by a Commissioner—Mr. Farnall—whose services in this matter have already been the subject of so much notice and commendation in this House, and who was intimately acquainted with the districts in question. I think I may say, that wherever those gentlemen appeared in the course of their mission they were welcomed. They were well received by the local authorities, and every aid was given to them in collecting the information which was required. Local surveyors were placed at their disposal, and it was very generally admitted that their inquiry might be attended with useful results; that there were works, which, if executed, would be of real advantage to those districts, and that they would offer an opportunity to the distressed operatives of finding independent labour. I mention this circumstance in order to claim confidence in the correctness of their Reports, by showing that they were possessed of all the means of obtaining accurate information, and which is an important consideration when taking into account the results of their inquiry. I find by the Reports which have been returned that everything that was anticipated has proved to be correct; that these towns are in a state which presents a great opportunity for the employment of unskilled labour; and that a wide field exists for the occupation of those operatives who are now deprived of their ordinary means of livelihood, in the construction of works of permanent advantage, without superseding any existing labour. The first Report of Mr. Rawlinson led me to the conclusion that this was the case, and I find that throughout to the last Report, which I believe has this day been placed in the hands of hon. Members, he has adhered to the opinion that there is ample opportunity in works required and needed in those districts to give employment to all the able-bodied operatives now out of occupation. In the first Report he says—

> "If Government can pass a short Act (independent of the Local Government Act) to enable money to be advanced at some fraction per cent more than will secure the country from loss, work may be found for every able-bodied distressed operative now out of work, and the districts will be permanently benefited. Property will be improved, and the sanitary state of every locality operated upon will be vastly bettered. Local rates will be reduced, and the Registrar General will find the effects in an improved value to life now and in future years. . . . There is abundance of work to be done, and a willingness to do it."

The engineer, not satisfied with the Reports made to him by the local authorities, communicated daily with the operatives himself, and from them he received the most satisfactory assurances that there is nothing they desire more, or are more ready to accept, than work of this description. Mr. Rawlinson says—

> "Many of the cotton operatives are now at work for wages of 3*d*. per hour, spade and barrow labour, levelling land and excavating foundations. I have been over these works with the engineer to the Corporation, whose card I enclose. I have watched the men at work, and have spoken with them. All the men at work are volunteers from the relief schools. The only complaint made to me was that they, the men, 'were not allowed to work all day;' they would 'far rather work than sit stewing in the schools.' I examined some of the men's hands; they had been blistered, but they did not care for this—the blisters soon get well. I remarked to one gang, 'Some people say you cannot do good outdoor work.' The reply was, 'But we both can and will, if we have the chance;' and I sincerely believe this. . . . . Much of the money required will necessarily be expended on skilled labour and on materials. But within one month after commencing fairly to work the best of the distressed cotton operatives will have become, in a degree, 'skilled labourers,' in excavating, in trenching, and in street and road forming. There are difficulties to be overcome, but most of these difficulties rest with the local authorities. But a vast amount of useful work may be beneficially undertaken, and be executed by the best of the distressed men out of employment."

That was the first impression produced on the mind of the engineer sent to investigate the matter. The statements which I have quoted were made at the beginning of last month, and on the last day of the month he states, in the Report delivered to hon. Members this morning—

> "My experience in town improvement works generally, and my recent inspection and inquiries in the distressed cotton district lead me to the conclusion that one million and a half sterling may be expended in permanent improvements of a beneficial character, such as main sewerage, drainage, new reservoirs for water supply, forming and completing streets, forming suburban roads, forming parks, recreation grounds, enclosing waste lands, draining lands, cleansing and improving rivers, and other similar works."

This assertion is not made vaguely or rashly by Mr. Rawlinson, but he has proceeded with the caution which becomes a professional man, and he states that these works may be advantageously executed. He does not pretend to say that they are works which unskilled operatives could alone perform, and he classifies the works requiring skilled hands and those on which the unskilled may be employed, and he says—

> "The class of works which will find employment for the largest number of unskilled hands will be levelling waste lands, forming parks and recreation grounds, baring rock for quarrying, forming suburban roads, draining agricultural lands, cleansing and improving rivers, forming reservoirs, and other such works."

That is the result of the inquiry which this gentleman has made, and which I think justifies the propriety of the inquiry, and the wisdom of the expectations of those who believed that by the means of such works in the distressed counties full employment might be given to the operative classes now unfortunately unemployed. The Report which the engineer has made is one which I believe will bear the test of the most critical examination either on the part of those who are members of the same profession, or of those who have considered the question how far these works are likely to be conducive to the end of employing the operatives. In a previous Report he has assumed that £1,500,000 might be placed at the disposal of these different towns for the execution of the works; and in his concluding Report, when calculating the application of this money, he certainly has come to the conclusion that not more than £431,000 of the million and a half sterling would be directly paid in labour to the unskilled workmen. At the same time, after mentioning that upwards of £690,000 would be employed in the purchase of materials, and £175,000 in skilled labour, he states—

> "The expenditure of so large a sum of money as one million and a half will apparently only relieve the rates to the extent of £431,756 in the direct employment of distressed operative labour. The actual relief will, however, be to a much greater extent, as all the money paid for skilled labour, and probably fully 75 per cent of the money paid for materials, will be expended in the district, so that the local rates will be relieved to an extent much larger than the figures 28·8 per cent on unskilled labour indicate. Stone, gravel, flags, bricks, paving-stones, curb-stones, tiles, and similar materials will be provided, and the money paid will to a great extent be expended in the district."

That, it appears to me, must be the effect; and if money is advanced for the execution of these works, not only does it give considerable direct employment to the distressed operatives, but it will also lead to a considerable expenditure in the districts, and in that way be of advantage to those who are now peculiarly oppressed by contributions required for the support of the unemployed. In the Report presented to-day, Mr. Rawlinson has shown that from a vast number of places included in the districts to which I refer there have proceeded public expressions of satisfaction and hope arising out of the intended execution of those works, which it is said are positively needed, as essential to the health, comfort, and general convenience of the districts, and will, it is believed, be the means of giving employment indirectly to a vast number of persons who now remain idle. I strongly recommend the last Report presented to-day to the perusal of the House, in order that the House may know of what advantage these works will be. The Report upon one of these districts is well worthy of notice, as it seems to be a fair sample of those places, where large populations have grown up, and where no form of local government exists, and is a fair representation of what may follow from not executing works such as are now proposed to be undertaken. Mr. Rawlinson, alluding to the case of Haslingden, states—

> "There is no local Act in force, nor any form of local governing body other than the parish authorities. The population of the township of Haslingden is about 10,000, and the ratable value upwards of £20,000. The population of the town proper is upwards of 5,000. There are some main drains, but no system of main sewers. House drains are an exception, not the rule; and from the defective forms and construction of sewers and drains, when used for draining water-closets they become nuisances. Many of the streets are unformed and unpaved. Cess-pits are crowded behind cottages, and as a consequence fever and other diseases of a similar character prevail. There is to be a supply of water from a company. In site, in sub-soil, and in the purity of the surrounding atmosphere, Haslingden possesses advantages which, with proper sanitary arrangements, would secure to the inhabitants a higher state of health than is now found to prevail. Haslingden is a type of many other places to be found in the County Palatine of Lancaster."

That is a fair specimen of the state in which many of these towns are at present, and every person who hears that description can imagine the importance of such works being made. Indeed, throughout these Reports there is nothing but evidence to show the necessity that exists for them. It is the need of all those requirements which, according to our modern views of civilization, are essential to promote health, cleanliness, and general convenience. It is the fact, however, whatever may be the reason—whether it is that the working classes are absorbed by the more profitable labour of the district, or that the leading men are absorbed by attention to their business—that the most prosperous times are not those in which improvements of a permanent character of the kind referred to make most progress. This naturally leads one to the conclusion that the present is not an inopportune moment to urge upon these districts to construct the works which they require, and which have been carried out so generally elsewhere. When these permanent advantages are connected with the immediate employment of vast numbers of the distressed operatives, the House, I am sure, will not think it unworthy of their consideration to determine whether, if there are means over which they have control, and without which these works will not be undertaken, they should not be at once adopted.

And here I am bound to state, that notwithstanding the confidence with which the engineer and the commissioner employed by us to visit these districts declare that the proposed works are essential and might be accomplished at this moment, that they accompany that declaration with a statement to the effect that there are obstacles in the way which must be removed in the first instance, or there can be no hope of the improvements being adopted. Those obstacles are described as partly financial and partly legal. It is easy to conceive how the financial difficulties arise at this time. When we consider how depressed trade has been for the last year, how burdened many of these districts are with debt, and how the pressure of the rates is increasing upon them, it is not wonderful that they should be anxious to escape any additional charge which would be entailed upon them by undertaking new works; and the opinion has become universal in that district that unless such works could be constructed by means of loans advanced to them by the State, there would be little hope of their being undertaken at all. These districts, according to the best information I can obtain, cannot raise the money themselves, upon the security which they offer, at much less than five per cent. I do not think, then, that it is unreasonable for them, looking to the circumstances in which they are placed, to ask the assistance of the State to enable them to raise the money requisite for the execution of the proposed improvements upon more advantageous terms. It is no slight consideration to them to raise large sums at a difference of nearly 1½ per cent; and considering the purposes for which loans have been advanced in past times, I do not think that their request—namely, that the Public Loan Commissioners should be authorized to assist them in their present emergency, is one that ought to be refused; this concession, then, the Government are disposed to make to them. We believe that these districts have established a good case for such consideration; and I, for one, can see no reason why the same favour which has been shown to others, where the claims have not been higher, should not be conceded to them. I have heard of some criticisms that have been made upon their application, and of an attempt to distinguish between the case of towns and other places for purposes which have generally been in question where loans have been granted; but I cannot see the distinction. I cannot understand, as it is part of our policy to place a certain sum of money at the disposal of the Public Works Commissioners, why a preference should be given to one class over another in the advances that are made. The last occasion I remember on which there might have been some question in this House was when Sir Robert Peel, on the repeal of the Corn Laws, introduced a Bill authorizing the Lords of the Treasury to place at the disposal of the Loan Commissioners a sum of £2,000,000, for the purpose of enabling the proprietors of land to drain their estates. That was supposed to be in compensation for some loss that was anticipated in consequence of the removal of protection. I need not remind the House that no such loss was ever sustained. Nothing but advantage to all parties has followed from the repeal of the Corn Laws; but still the Bill introduced by Sir Robert Peel was thought to be justifiable as compensation for what was anticipated at the time. Not only was a sum of £2,000,000 placed at the disposal of the Loan Commissioners, with the view of assisting the proprietors to drain their lands; but when that was exhausted, another sum equal in amount was devoted to the same purpose. I do not regret that; practically, I believe great advantage was derived by the country from these advances of public money; the improvement of land must always add to the wealth of a country, and not a sixpence was lost by the advances that were made, and possibly the works would not have been undertaken without the advantage conferred by the State. But if you can make advances to a class in expectation of evils that have not occurred, I think it would hardly be reasonable, when great evils actually exist and great public advantage may be expected from the application of such means, to demur to a repetition of the same course. I do not anticipate, however, that there will be any question of that sort. The hon. Member for Devonport appeared to be very critical upon our present proposal the other night. I do not know whether he will repeat his statements to night, but I do not expect that the majority of this House will object to the proposal about to be made to it.

The difficulties which are stated to exist to the undertaking of these works are, as I have said, both financial and legal; and I am afraid that whatever financial facilities might be afforded would be of little use unless it was determined to remove the legal difficulties which present themselves to the accomplishment of the works. These legal difficulties consist in a deficiency of power in particular places either to borrow any money or to carry out the works. When public works are to be executed in a particular district, the ordinary course is to appeal to Parliament for a Private Act giving the requisite powers, both for raising the money and executing the works. It is quite clear, looking to the great variety of the districts in question, to the period of the Session, and to the expense and delay incident to the passing of Private Bills, that it would be utterly impossible for all these different places to procure Private Acts for the purpose of raising money and executing works within their limits. One might have expected, that, in lieu of Private Acts, it would have been possible for these districts to adopt the Local Government Act, passed in 1858, which is a most valuable measure, and which, being permissive, may be adopted by any place, and which, when adopted, confers all the powers and rights obtainable by a Private Act. But, in the first place, there is a most extraordinary prejudice against that Act existing in these districts. It has been found, moreover—such are the formalities connected with its adoption and application — almost impossible to give it any effect under a shorter period than three months. In the present instance the legal difficulties arise from the peculiar forms of local government which exist in the distressed districts. They are of various kinds. There are corporations which have the power to borrow and others which have not. Some places, not incorporated, have adopted the Local Government Act, but have exhausted their means of borrowing. Other places, which have not adopted the Act, have no other authority for any public purposes than that conferred by the parochial system. The proposition is, to allow all the places that are distressed to have the advantage of any public money advanced for public works; but, under the present state of the law, some have no power to borrow, and still more, have no power to carry out works if they had the means. Hence the necessity that has arisen for fresh legislation. In consequence of the varying circumstances of these different districts, it was not easy by any special Act to attain the general object that was had in view. The Bill which I have introduced, however, meets, I believe, the requirements of the case as nearly as possible. It provides for any difficulty in adopting the Local Government Act in respect of time. With respect to the places that have Local Acts, they have power to adopt clauses of the Local Government Act for the purpose of borrowing and executing their works, and which give them all the authority which they would have if they had adopted the Act itself; and with respect to those places that have only parochial authority, and where it is found that they have under an Act or by the common law power of executing works out of the rates, power is conferred by this Act for borrowing money and mortgaging the rates. We therefore confer at once a facility upon all those places of borrowing the money that may be advanced, upon the terms which the Commissioners may determine to advance it, and of giving the security that is required. There has been an observation made, that although this Bill provides for the case of municipal corporations and particular places having local authority, yet that there are many outlying districts suffering from distress in Lancashire which would receive no advantage from its operation. That, however, is not exactly the case, because there is no place where parochial authorities do not exist, or where, by means of the vestry, an authority could not be constituted under this Bill through whose instrumentality money might be borrowed. There are places, nevertheless, in which the authorities do not chose to take upon themselves the responsibility of borrowing money to execute works, but here power is given to such places to enter into agreement with the authorities of adjoining corporate towns who have power to borrow money under the Bill, to execute any works for them, the rates of the township being mortgaged for its repayment. They will, under these circumstances, have the advantage of providing employment for their people who need it, without incurring any further responsibility than the repayment of the loan, with the interest due upon it. There are, I am assured, several places which are likely to profit by this agreement; so that any apprehension that the Bill will not include all the places now distressed, or intended to be benefited, will be removed.

There has been another argument urged against the Bill, which is, I think, hardly fair. I have seen the complaint made in a public journal that it does not extend to landed proprietors the same advantages which it offers to the towns, and alleging that inquiry into that matter ought to have been directed. It is, however, a very different thing to make inquiry as to the policy of lending public money to towns for sanitary purposes and general public objects, and to institute an investigation into the condition of private property of particular individuals. I do not think it would have been very seemly for Commissioners to have been sent to inquire into the condition of particular properties in those counties, and for Reports to have been laid before this House of the state of those properties, specifying them by name, and perhaps pointing in many case to the owners as men who have neglected their property—and, indeed, no claim has been put forward by the proprietors themselves to have the same advantages which it is proposed by this Act to extend to the towns. Nothing, I may add, could be, in my opinion, more advantageous to them or to the country at large, than that they should make improvements on their estates. I have not heard the statement which I was authorized to make in this House on a former occasion, in reference to the extent to which improvements in land might be carried on in Lancashire, and the extent to which unemployed and unskilled labour might be beneficially occupied, at this moment in the slightest degree questioned. That statement I believe to be perfectly true in all respects; nor have I heard of any real difficulty on the part of the proprietors, either with respect to obtaining money or carrying out those improvements. I observe that in the last Report of Mr. Rawlinson he says—

> "In the distressed cotton districts there are many thousands of acres of agricultural land which may be beneficially drained. Such land is to be seen bordering every line of railway in the county. This is a landlord's question mixed up with tenure, tenancy, leases, and other difficulties. As, however, the land must pay its quota of increased poor rates, it would be advisable to have labour in return for payment of wages, rather than to give relief for comparative idleness."

This, however, is a matter which owners of property in the county must decide for themselves. The Bill is not intended as a panacea for all the evils that have arisen out of the distress which prevails in the manufacturing districts. It certainly does not strike at the great cause of the evil which has befallen that county. It is intended as a palliative measure. It is intended in some degree to mitigate both the distress of Lancashire and to relieve the people from the humiliation of being treated as paupers, and depending entirely upon charity. It is a measure which, in my opinion, may be turned to good account. Of course, it will depend very much on the local authorities how far it will operate beneficially. We propose it as a means of ameliorating the condition of the people, operating in conjunction with other measures of relief, whether they proceed from emigration, or partial revival of trade. It ought not to be condemned simply because it does not accomplish all the good which any one may desire. I have, at all events, reason to be satisfied with the manner in which it has been received in the districts to which it particularly relates. I cannot help stating to the House, to show it is not simply a measure which the Government have brought forward without due consideration, that only this day I have seen that the Central Committee of Relief at Manchester have considered this Bill, and have also considered what were the necessities and requirements of the county, and they have given to the measure their most unqualified approbation. Now, that Committee is composed of all the persons of the highest position in the county of Lancashire, and of persons most extensively engaged in business. Indeed, I do not know of an association that more fully represents the opinions and interests of the county than the Central Relief Committee at Manchester; and I do say it is encouraging and highly satisfactory to find that that Committee should consider that this Bill does very much to embody the views they have entertained for some time past; that they consider there is ample opportunity afforded in the bad condition of many of the corporate towns, and other populous districts there, for giving employment to the operatives; and they believe that nothing is more likely to lead to this result than the precise alteration of law and the particular measure which the Government proposes to the House to adopt. They believe that ample funds will be found for the employment of the operatives who are now idle if the alterations are made in the Local Government Act which are proposed in this Bill, and if advances are made by the State at the low rate of interest and upon the terms of repayment here proposed. When the House considers the apprehensions entertained last year, both as to the extent of the destitution and of the vast efforts that would be required to relieve it—and when we consider how slight are yet the prospects of any great revival of the trade—and when a prospect is now presented of paupers becoming independent labourers, and many being provided with means of supporting themselves and their families during the coming winter, the House, I believe, will see little reason for rejecting a measure which, upon high authority, promises well to accomplish that object. The last Return shows that upwards of 300,000 people are now living upon charity. Of that number one-half appears to be receiving relief from Committees, and one-half from the guardians of unions. If that is the number at this season who are receiving relief, what, I ask hon. Members to consider, will be the prospect when the present season has passed away, and the winter returns, if no means are adopted to meet the emergency? If, then, we can by any means look forward to the prospect of some 30,000 or 40,000 men being employed, representing families to the extent of four times that number of individuals, and who would otherwise be idle and destitute, it must certainly be a great source of satisfaction and relief, not alone to those who are responsible for the conduct of affairs, but to the country at large. The object of this measure, then, is to diminish, as far as we can, the misery and distress which now prevail in Lancashire, and in the hope and belief that it will effect that object, I now beg to move its second reading.

Mr. FERRAND said, he thought the right hon. Gentleman had not acted with much fairness towards himself personally in the remarks which he had just made. The right hon. Gentleman had stated, that when the Bill was laid on the table, he (Mr. Ferrand) had declared it to be his intention to oppose it; but he had done nothing of the kind. On the contrary, he had no idea of opposing it, and had simply objected to so important a measure being introduced at half past two in the morning, without any statement having at the time been made with respect to its provisions. When he, upon that occasion, asked the right hon. Gentleman what was to be the amount of interest charged on the money lent, his answer was, "You will find it stated in the Bill." The right hon Gentleman had not, therefore, when bringing in the Bill, answered him courteously in reply to a very natural question, nor had he that evening given a correct account of what had taken place. The fact was, that he not only approved the Bill so far as it went, but regretted that it did not go far enough; nor would he have taken any part in the debate on the second reading had it not been for a meeting which was held at Manchester on Monady last, at which the most alarming statements were made. If those statements were correct, the right hon. Gentleman was not dealing fairly with the House in not bringing them forward; and further, if they were correct, they bore out what had fallen from him when he addressed the House on the 27th of April in bringing forward the subject of the distress prevailing among the factory operatives. He then stated that the operatives were weary of idleness, that they saw no hope of employment for a long time, that they were not only degraded into paupers, but had no clothes and were literally starving, and that they entreated the House to vote a sum of money which would enable them to emigrate to the Colonies, where they could earn an honest livelihood by their own industry. He also warned the right hon. Gentleman, that if they remained in this state of destitution until next winter, they would be ruined both physically and morally. No one could tell what serious results might not occur, and he entreated the right hon. Gentleman to take their request into consideration. The right hon. Gentleman replied to his statements in the most cavalier manner, and told him that his remarks were obsolete, and that he spoke as if he was, as he no doubt thought he was, addressing the House fifteen years ago. The remarks which the right hon. Gentleman had himself made that night were obsolete as far as free trade was concerned, because he was asking the House to protect the cotton interest and provide means to keep the native industry of Lancashire within its borders. If the right hon. Gentleman could find employment for all that were now living idly, and who had been heretofore employed in the cotton trade, he would not object in the slightest degree to this Bill or to its provisions; and, as he had said before, he only objected to them because they did not go far enough. The right hon. Gentleman, on the former occasion, declared that emigration was unnecessary and would be injurious, promised that work should be found—not for 40,000, but for 70,000, indeed for the half million of destitute factory operatives — and pledged himself to send into the manufacturing districts an eminent engineer, who should in three weeks make a Report to the House upon the subject. By that promise of the right hon. Gentleman the Government became responsible either to find work for these people in Lancashire, or to remove them to a place where they could find it for themselves. As far as sending an engineer into the factory districts went, it appeared that the right hon. Gentleman had redeemed his pledge, because on the 29th of April Mr. Rawlinson received instructions from the Secretary of State for the Home Department to visit the cotton-manufacturing districts to inquire what works of utility, profit, or ornament could be executed there with especial reference to providing employment for the distressed operatives at a fair rate of wages. On the 4th of May Mr. Rawlinson reported to the President of the Poor Law Board, stating, that if a short Act were passed, enabling money to be advanced at a fraction above the rate of interest which could secure the country against loss, could work be found for every able-bodied operative. On the 16th of May Mr. Rawlinson forwarded another Report, which the right hon. Gentleman had taken care not to read. In that Report he said, that "the able-bodied men now out of work must either be maintained out of the poor rates or by work in the towns. The present system will ruin the men if persevered in another year." Upon the Motion of the noble Lord the Member for Leicestershire, there had been laid upon the table a copy of a Report addressed by Mr. Baker, a factory inspector, to the Home Secretary. Probably but few hon. Members were aware that Mr. Baker had been sent into the manufacturing districts to inquire into the state of the population; but a short time before he had received private information that Mr. Baker had been instructed to go into the Lancashire districts and draw up a Report, repudiating as far as he could, the idea of emigration; and he thought that a few extracts from the Report would show that his information was correct. Mr. Baker's letter, which was in anticipation of the regular annual Report, which, as a factory inspector, it was his duty to submit, was dated "Leamington, April 22, 1863," and the House ought not to forget, that although it was five days afterwards when he (Mr. Ferrand) brought before the House the condition of the factory operatives, not a word was said about that letter. In it Mr. Baker stated that he had just returned from visiting districts in which 8,000,000 spindles were usually at work, and that in all those districts, including Bolton, Bury, Colne, Padiham, Radcliffe, Leigh, Hyde, Stockport, Wigan, and many other places, the people hoped that they would be able to carry on until the termination of the American war, or until a supply of suitable cotton from other countries was brought into the English market. In Bolton, Colne, and Padiham, and more or less all round about, new mills were being erected and new spindles added to old ones, and all these were intended to commence working as soon as a supply of the raw material reached this country. Mr. Baker stated that when trade revived there would be a demand for more hands than could be obtained, which would make them unreasonable in their demands and render them the masters, "for already they are thinking of the time when things will be different." The letter concluded—

> "In 1860 the weekly consumption of cotton by the spinners was 48,300 bales; at present it is about 23,590 bales; but as we appear to export about 8,000 bales a week, it cannot be estimated that more than 535,900 of the 802,350 bales in stock and coming will ever reach the consumers' hands, which, at the usual rate of 9½ oz. consumption of cotton per spindle per week, and for full time, would employ all the cotton spinning hands in the United Kingdom about twelve weeks, or half time to about November next. You will see, Sir, that these calculations are made independently of the quantity of cotton supposed to be stored in America. If that could be obtained, the mills would be running full time immediately on its arrival; and, under any probability of such an event, to emigrate the hands would be a fatal step for these districts."

Mr. Farnall's Report had been only placed on the table that morning. It was hardly fair to the House to call on it to approach the consideration of the state of Lancashire, where nearly half a million of human beings were in a condition bordering on starvation, when such a scant interval was afforded to hon. Members for becoming acquainted with the documents essential to a right understanding of such a momentous question. The right hon. Gentleman on a former occasion had pledged himself that work should be found for the operatives in Lancashire almost immediately, but there was one passage in Mr. Farnall's Report with which the right hon. Gentleman had taken care not to acquaint the House. Mr. Farnall said, "Mr. Rawlinson has read this letter, and he permits me to inform you that he concurs in the statements it contains." Mr. Farnall went on to say—

> "The inference, therefore, is that an outlay of £1,500,000 on the works adverted to would employ about 27,400 men for one year who are now out of work in the cotton districts; and further, that this employment would remove about 82,200 persons from the poor rates and from the charitable funds, the annual cost of whose maintenance, in

comparative idleness, is at present not less than about £320,500."

There was a plain statement as to the amount of work which could be provided and the relief it would afford. Hon. Members were no doubt aware that a meeting of the Central Relief Committee was held at Manchester on the previous Monday. At that meeting Sir J. Kay Shuttleworth, who throughout had taken an active and praiseworthy part in the onerous duties of the Relief Committee, declared that " it had not been anticipated by the public generally that next winter would present as great difficulties as the last." After the speech made by the President of the Poor Law Board, on the 27th of April, it was not likely that such anticipations would be entertained. But Sir J. Kay Shuttleworth continued—

> "Those passages of the Reports of this Committee which anticipated that the resources of the working classes would be exhausted, that the means derived formerly from private charity would no longer be available, and that we should have nearly the same number of cotton operatives dependent on the relief funds or some other assistance than the ordinary sources of labour—those views were not generally entertained in society or in the House of Commons."

Mr. E. Ashworth, a gentleman largely engaged in the cotton trade, and a member of the Relief Committee, named the exact amount which Government meant to devote to the relief of Lancashire distress. The House of Commons at that time had never even heard the sum which the right hon. Gentleman intended to propose should be voted. When the Bill was laid upon the table, he in vain endeavoured to elicit from the right hon. Gentleman the amount which would be asked for under its provisions; but he refused to give that information, and the House therefore learned for the first time through the report of a meeting at Manchester the extent of the proposition to which its assent was invited. Mr. Ashworth said—

> " The million and a half was likely to be only a small portion which would be required to tide over the difficulties of Lancashire next winter, provided there was no extra supply of cotton, from the American difficulty being ended, of which there was no prospect at present."

Within the last quarter of an hour the right hon. Gentleman had given the House to understand that there was a prospect of the termination of the American difficulty. Mr. Ashworth, who was engaged in the cotton trade, declared that there was none. He now came to Mr. Commissioner Farnall, a public officer who had been reporting every week an improved state of things, thereby deceiving the house and the whole country. Mr. Farnall now reported as the result of his inquiry, that—

> " The number employed by the million and a half of skilled and unskilled labourers would be 30,000 at the very outside. The probability was that in the winter we should have 400,000 people to provide for. If we could get 30,000 to work in the summer and autumn, the utmost extent to which we could suppose each of these men would lighten the burdens of the relief committees or guardians would be two other persons with himself."

He spoke of getting 30,000 to work in the summer. Why, the summer had nearly gone, and the Bill had not yet been read a second time! Mr. Farnall proceeded—

> " Assuming that 90,000 or 100,000 would thus be provided for, we had still 300,000 mouths to feed and bodies to clothe, which was 250,000 above the average pauperism in the cotton districts. If this did not convince people of the difficulties we had to meet next winter, he did not know what would."

The next speaker was Mr. H. Mason, a gentleman largely engaged in the cotton trade; and he said, he was sorry to be obliged to anticipate that next winter would be the time of the greatest trial in these districts. The Town Clerk of Manchester embodied his views in a resolution—

> " That, looking to the certainty of a greatly increased pressure on the rates which will arise during the ensuing winter, it is in the opinion of this meeting desirable that Parliament before separating should provide additional facilities to boards of guardians or overseers for borrowing at a low rate of interest, and upon satisfactory terms as to repayment, such sums of money as may be required."

Now, let the House hear what was said by Mr. Farnall. He stated, that " such a movement as the present was likely to create a vast amount of difficulty in the House of Commons." The House ought to know the truth and the whole truth, and ought not to be kept in darkness as to the intentions of the manufacturers and the Government. When he brought forward his Motion on the 27th of April, he was aware of all these facts, and the right hon. Gentleman must have known them too, or else he was deceived by his subordinates. From that dilemma there was no escape. Mr. Farnall went on to say—

> " Parliament was at present engaged in passing into the hands of the Loan Commissioners a sum of a million and a half of money, and it must be well known that the House was not altogether composed of the friends of Lancashire, and Mr. Villiers's Bill was not likely to be carried without

considerable opposition. Now they were asked to go to Parliament with an extra measure, asking the Loan Commissioners for, probably, another million and a half. [The Town Clerk: Very likely.] This would make £3,000,000. His impression was that this would be taking a dangerous course, and that it would be better to let the Government have an opportunity of passing one measure through the House before they brought forward a fresh suggestion for loans at a low rate of interest."

He should like to know from the right hon. Gentleman what was the amount of money which Parliament would be asked to vote before the end of the Session. He should like also to ask whether these 300,000 people were to be kept in idleness in Lancashire during another winter. Mr. Rawlinson had warned the House of the consequences; he had told them that to keep them in idleness another winter would be their ruin. The right hon. Gentleman the President of the Poor Law Board, in a speech made in that House twenty years ago, said the working population of England would endure anything but a sense of pauperism. That night he had told the House repeatedly that the working population of a large part of England were paupers. The operatives felt that they were paupers, and they were watching the action of that House in calmness, in quietude, in peace, and in hope that they might be removed from the category of paupers, either by work being found for them in Lancashire, or else by the means of emigration being afforded to a considerable number of them. His impression was, that if the factory operatives were kept in a state of idleness in Lancashire, that £10,000,000 would be insufficient to meet the demands upon the House of Commons. According to the right hon. Gentleman's own statistics, it would require £4,000,000 to keep these persons during the next twelve months; and he did not believe there was any likelihood of the trade of Lancashire being in a prosperous state for the next three years, if it ever entirely recovered itself. While Lancashire was in this pitiable condition, while the agricultural interests in Scotland and Ireland were not only depressed but nearly ruined, while there was fearful distress in the Midland Counties of England and in large cities like London, Glasgow, Paisley, and others, the noble Lord at the head of the Government came down to the House on Monday last and asked it to vote half a million of money to buy those old, rotten buildings at Kensington. The noble Lord might depend upon it that famishing factory operatives would make some such remarks as this — "If the noble Viscount can fool money away in London he might at least spare half a million to enable some of us to emigrate." The operatives would feel that they had been deceived and betrayed by the right hon. Gentleman the President of the Poor Law Board, and it was sadly to be feared they might show a spirit which would be anything but calm and peaceable. He was justified in that remark, for the workmen had been repeatedly told that if they would only be peaceable and well-conducted employment should be found for them. In what kind of work did the Bill before the House propose that the operatives should be employed? Among others, any pond, pool, open ditch, any river, stream, or brook might be widened, deepened, or cleansed; any sewer or drain might be made or improved; any common lands used or intended to be used as places of public recreation might be drained, laid out, planted, or otherwise improved. Now, who were the people to be employed in these works?—a body of factory operatives, who, by the admission of the right hon. Gentleman himself, had been in a state bordering on starvation for the last twelve months, who were to be fed and clothed at the public expense, whose own clothes were little better than rags—and had been little better for many months —and who previous to that fearful destitution were accustomed to work in a temperature varying from 80 to 120 degrees. Such men were utterly unfit for the occupations contemplated by the Bill. He made that statement advisedly, for he had employed large numbers of factory operatives on many occasions. In summer time, in warm, fine, open weather, and at dry work, such as digging and trenching, they could earn a fair day's wages, and retain their health. He found that whenever they set factory operatives to dig drains they were attacked by the most violent rheumatism; yet it was now proposed to make them do work in rivers and works where they would be wet up to the waist, which would kill them by thousands in a very few months. That was a kind of employment which scarcely the strongest men, accustomed through life to out-of-door labour, could undergo for any length of time. The right hon. Gentleman ought to take measures, in conjunction with the Boards of Guardians and various local bodies, to employ these men where they would have dry work. As they had a second million and a half, he would not say "looming in the distance," but near at hand—for no doubt the House would be asked to vote another million and a half before the end of the Session—he would ask the noble Lord at the head of the Government whether it would not be fair and reasonable that a considerable number of the men, women, and children who were to be kept in idleness, in wretchedness, and only half fed, for another winter in Lancashire—whether it would not be a mercy to these people themselves, and a security to the country, that they should be removed to the Colonies. He had, on two or three occasions, asked the right hon. Gentleman whether he had a Return of the unmarried women out of work, and the right hon. Gentleman said he had no power of enforcing it; but as he had Returns of the other classes of the unemployed, men, women, and children, what impediment could there be to his obtaining similar information respecting the single women? It appeared that there was a very large number of totally unemployed single women in Lancashire. They had been gathered from many parts of England; some of them had no relations or friends in Lancashire, and were in a state of the greatest destitution. He had been told by the manufacturers of Lancashire that it was the positive duty of the Government to remove a considerable number of these unmarried women to the Colonies. On the 27th of April, when he moved his Resolution, and appealed to the House to vote a sum of money for the emigration of the unemployed factory operatives, the right hon. Gentleman treated that proposal as an extreme one; yet it would seem that at that very time the Government had been making inquiry in the different Colonies as to the number of these operatives which each Colony should receive. That showed that the Government had some apprehension of the distress which was likely to occur in the ensuing winter. He would therefore entreat the noble Lord and the right hon. Gentleman to propose a Vote for the emigration of these poor factory operatives, by which they would only be doing an act of justice towards peaceable and well-conducted men and women, as they were now performing an act of justice towards the manufacturers in moving the second reading of the Bill. He gave his hearty support to the measure; and although Amendments, no doubt, might be made in its details, he did not intend to interfere with them, but would leave them to be proposed by hon. Gentlemen connected with the district and those who were well qualified for such a task.

Mr. HIBBERT said, he should not have risen if he had not thought it his duty to tender his thanks to the right hon. Gentleman the President of the Poor Law Board for the trouble and labour he had taken in reference to the matter. He did not think that the Bill was calculated to do the vast amount of good expected, and though it might not do the amount of good which the hon. Member (Mr. Ferrand) wished for, still it was a step in the right direction, the proposal being to give employment for wages instead of relieving the people in the unions. A leading article in *The Times* of that morning was calculated, he believed, to mislead the House and the public. The writer stated that at the present time there were only 167,000 persons in the cotton districts receiving relief, and that on the 7th day of December last the number was 270,000. Arguing upon these figures, the article went on to question the accuracy of an estimate that had been put forth, to the effect that there would not improbably be 400,000 persons requiring relief next winter. Now, the writer in *The Times* had fallen into an error in his statistics. Instead of there now being only 167,000 persons receiving relief, there were 289,975 receiving relief in the week ending on the 30th of May last; while the real number on the 7th of December last was 458,696, instead of 270,000. The error of the writer had evidently arisen from his taking only the numbers receiving relief from the boards of guardians, and not taking into account the numbers receiving relief from the various local committees in Lancashire and Cheshire. The Report made up by the Central Relief Committee on the 30th ultimo showed that there was still great distress in the cotton districts. During the month of May last the total sum expended by the guardians and the local committees in the relief of the poor was £101,730; whereas the total sum expended on the relief of the poor for the same period of 1861 was only £38,000, or little more than one third of the present amount. In the Union of Ashton-under-Lyne there were 57,183 operatives, of whom 30,870 were unemployed in the last week of May, while only 9,239 were working full time. At Glossop there were 7,068 operatives, of whom 5,900 were out of work. At Preston the number of operatives was 32,251, of whom 15,680 were unemployed. At Rochdale the number was 20,527, of whom 11,121 were out of work. These figures showed, that although since the 7th of December last there had been an improvement from week to week, things still remained in a very bad state. He certainly had been not a little surprised at the hon. Gentleman (Mr. Ferrand), who was an advocate for emigration, objecting to the people being employed in the kind of work which had been adverted to. Why, if the operatives emigrated, they must be prepared for all kinds of work, and for a hot or a cold climate. It had been shown that there was work to be done in those districts, and that the operatives were willing to do it; and further, that the only requirement was money to accomplish those works. The right hon. Gentleman had asked for power to lend money upon the security of the rates. That was not the first time in this country that property had been improved by the lending of public money upon the security of rates. As a Lancashire man, he for one would have been unwilling to support the Bill if it had asked for a grant of public money, as from the first he felt anxious that Lancashire should support itself through the distress; and if the Government would lend to the public bodies the money they required, it would be the means of enabling the distressed districts to get over their difficulties. He was surprised to hear the remarks of the hon. Member for Devonport in reference to the building of new mills in Lancashire during a period of distress. The hon. Gentleman had no right to cast aspersions upon the manufacturers. He (Mr. Hibbert) would have thought, that if any persons were injured by the erection of new mills, it would be those who built them. In doing so they employed many persons who would not otherwise be employed, and therefore he was surprised to hear at the present time these aspersions cast upon the manufacturers. The building of these new mills showed faith in the future of the cotton trade. If they could get over their present difficulties, and wait until better times arrived, they would all have cause to rejoice. The Bill of the Government would confer a benefit upon Lancashire and Cheshire, and it would confer a lasting benefit upon those towns which would be improved by means of its provisions. There could be no work in which the operatives might be employed which would be more useful than that of improving and beautifying their own towns. He should therefore support the second reading of the Bill.

MR. NEWDEGATE said, he desired to express the great satisfaction which he felt at the course adopted by the Government. He should be happy to support the general principle of the Bill, which was to render assistance to the manufacturing districts in this season of distress; but he must express a hope that that system of legislation would be considered strictly exceptional, because, having had some experience in dealing with distress, he was quite sure that it would be most unwise to raise undue expectations in the minds of the operatives, which might eventually lead to disappointment. He had always thought that in legislating for Lancashire they were building a fictitious superstructure on an abstract principle, and had thus given rise to great misapprehensions. Great difficulty had arisen from their acting on an exaggerated principle in one direction, and he now warned them against acting on an exaggerated principle in another; because if they excited among the operatives an expectation, that inasmuch as their employment had been destroyed through events beyond their control, therefore Parliament would undertake to maintain them in a state even of comfort until the cotton trade revived, he was sure that they would place themselves in a false position, from which they would find it very difficult to retreat. He must say that he had heard with regret that large sums had been recently expended in building more mills, because, unless he was totally misinformed, the manufacturing power which existed in the country was already superabundant, and, indeed, exceeded the means of supply as respected the raw material. He thought they would do well to inculcate caution on those speculators who seemed to anticipate a speedy return to prosperity; for certainly no information which they possessed would, in the least, justify the expenditure which had been made on new mills. The course which the Government were adopting was a proper one, and he should cordially support the principle of the Bill before the House.

MR. HENLEY said, he rose to make a single observation. He thought that the House would be embarking in a very questionable course of proceeding if they sanctioned the employment of public money to be borrowed by corporate or other public bodies, for the purpose of undertaking work for private people. So long as the outlay of money was confined to the execution of works of a public nature within the area of those places in which the money was borrowed, he had no objection to the course proposed. Such a course, indeed, was well calculated to meet the emergency. But it would be very dangerous to permit boards of health and various other bodies of that description to borrow money, and then to act as agents to execute works for private persons. If such a proceeding did not lead to jobs, it would lead to a suspicion of jobbery, which was nearly as bad a thing as the actual perpetration of jobs. That the unemployed operatives should be led to look forward to this artificial work being found for them was in itself a bad thing; but the experience he had had of the employment of public money in the execution of private works was quite sufficient to warn him against such a course as that he had alluded to, which he considered would be highly dangerous. While, therefore, he willingly supported the main principle of the measure, he should take the opportunity in Committee of making some objection to its details; and in the mean time he hoped the Government would consider the expediency of embarking in a description of labour agency which might be carried on without limit, and do a great deal of mischief.

SIR BALDWIN LEIGHTON said, he had always thought that the people of Lancashire advocated the principle that money was only to be supplied to the unemployed operatives in return for labour, but that did not seem exactly to be the principle of the Bill before the House. It was very undesirable that the Government should go into the money market and underbid the regular money-lenders. He had recently had occasion to borrow £30,000 for public purposes, and had no difficulty in getting it at 4 per cent. There was no reason why Lancashire should not borrow at the same rate. By far the wiser plan was, that in advancing this money to the manufacturing districts, it should be advanced by way of loan at 5 per cent, and that Government should reserve to itself the power of reducing the interest to 4 per cent, or even a lower rate, if the money were punctually repaid at the time specified when borrowed. That was the principle adopted by the Loan Commissioners, and it would be a great inducement to the borrowing districts to pay up if they knew they would have to pay 5 per cent if they were not punctual. Some few persons might be induced to emigrate from the distressed districts, but he saw no reason why they should not be encouraged to emigrate to other counties, where a demand might exist for their labour. The manufacturers, the owners of cottage property, and shopkeepers, however, were all averse to the operatives leaving the district. He was informed that a gentleman had addressed a communication to the relief committee in one of the most distressed districts in Lancashire—namely, Wigan—in which he offered to take fifty or sixty of the Wigan operatives and employ them in agriculture, at the rate of five shillings or six shillings a week wages. The relief committee of Wigan, however, had returned for answer that it was not desirable to promote the migration of any large number of operatives, because all the old hands would be immediately wanted when the mills re-opened, and from present appearances (that being last November) that would shortly occur, and the hands were already several thousands short. That might be very discreet policy, but those who acted in that way ought not to go about the country begging, but ought to keep their own poor. He did not think that the wages given to persons employed under this Bill ought to be larger than the average amount given to spade labourers in adjoining agricultural counties. If they gave the operatives of Lancashire the rate of wages usually given in manufacturing districts, what chance had they of inducing them to turn their hands to agriculture? It was stated that 300,000 were in receipt of relief, but that probably 100,000 would be struck off the relief list if the present measure were carried. There would, therefore, be still 200,000 on the poor rate, and it was most desirable, under those circumstances, to reduce the wages given in manufacturing districts to the rate of wages given for spade labour. There was no doubt that a great many of the operatives were wholly unfitted for spade labour, but many could find employment in the agricultural districts. He had heard that many gentlemen offered to take some of these people last winter; and one noble Lord in his county took fifteen of them, but in the course of a few months only one remained. Again, a large landowner in Cheshire had tried to employ many of these men, but he had failed; and one gentleman at Preston, when applied to, said he was so disgusted with their conduct in returning home, that he would not be answerable for the sending of any more into the agricultural districts. What was the reason of all that? Why, the fact was the men could obtain in Lancashire as much or more for doing nothing as for a day's work in Shropshire. He had himself employed some of these men, and one of them remained four months, but the others returned to Lancashire. He (Sir Baldwin Leighton) blamed the manufacturers for this state of things. Now, every means should be taken to find labour for the people under the provisions of the Bill, but they ought not to be paid too high a rate of wages. The price of labour, like that of everything else, must depend on demand and supply, and would naturally be lower when there were 100,000 or 200,000 persons out of employment. He trusted, therefore, that wages would not be kept up above the average amount on these works, so that the poor people might be induced to look about them, to migrate, and do what they could to help themselves.

MR. COBDEN: The hon. Gentleman who has just spoken has raised a question which has a much wider bearing than appears on the surface. He has alluded to the high rate of wages paid in the manufacturing districts. That is no doubt one of the difficulties which meet us in this case. It affects the question of emigration—it affects the question of relief—it affects the question of migration from one part of the country to another. The population, about which we are speaking, have been probably receiving, in ordinary times, a larger amount of wages, taking the earnings of the whole family into account, than any body of labouring people in England, or probably in Europe. The industry in which they have been employed is one that gives convenient, healthy, and constant occupation to the different members of a family. Therefore, the earnings of a whole household are greater in the cotton manufacturing districts than in any other part of the kingdom with which I am acquainted. Since this unfortunate trouble has come upon us, I have taken some pains to ascertain what are the ordinary earnings of a family when the people are fully employed. It is not an extraordinary case to find a family earning from two to three guineas a week. It may be an extraordinary case, but it is a possible one, to find a family earning upwards of £4 a week; and I am satisfied that the average earnings of an ordinary family engaged in the cotton manufacture exceed 30*s.* a week. I asked a friend of mine, engaged in the manufacture of cotton at Bolton, to give me from his books some particulars of the wages he is paying, and I have received from him the following statement:—

> "In 1840 our average wages was 10*s.* 3*d.* a week for men, women, and children, working seventy-two hours. They are now 12*s.* 4*d.*, working sixty hours. Taking the difference of time and the difference of money into account, it is a rise of nearly 50 per cent."

When you have to deal with a population earning such wages, and consequently living in a state of comfort compared with the population of the agricultural districts, there arises the difficulty to which the hon. Gentleman refers. You cannot bring them down suddenly to the rate of wages with which agricultural labourers are content. It would not be compatible with their health and strength to do so. It would be hardly consistent with the peace of the district to bring the population of the cotton manufacturing districts down to the rate of wages to which I refer, or to the amount to which the hon. Gentleman proposes to reduce them. I do not mean to say that he does this from any want of charity or good feeling. No one can doubt that, as a permanent rule, his view is correct, that the price of wages should be left to find its level, and rise and fall, like other things, according to circumstances. But you have this difficulty here, that you have to deal with a population which has been accustomed to a higher rate of living than the population of agricultural districts. I am not going to say a word against emigration in the interests of the capitalists. My doctrine with regard to labour is, that wherever it finds its highest reward that is its true destination. The capitalist will take care of himself. I say to the labourer, if you cannot get as much for your labour in one place as in another, take it where it is of the highest value. But when you talk of the cotton manufacturers emigrating, you must consider whether a population bearing the character and description which I have given will improve their condition by emigration. If you were dealing with an agricultural labourer—with, for example, a Dorsetshire labourer, who in his normal state earns from 9*s.* to 10*s.* a week, and has been brought up with the knowledge of farming operations, you could not confer a greater blessing upon that man than to transfer him to the wilds of America. With his labour in great demand, he instantly doubles his wages. The man's position is in every respect improved by being transferred to the regions of America or Australia. But if you were to transfer the weaver or cotton spinner to Australia or to Canada, where there are no cotton mills or factories, or demand for the man's labour, the result would be different. As a rule, no man benefits himself by changing his business after he arrives at years of maturity; but he may benefit himself by transferring his labour to a field of operations where there will be more demand for the skill which he has acquired. If you should remove these families, who have been earning at the rate of 30*s.* a week at the least, and in some instances £3 or £4 a week, to agricultural regions, inasmuch as they can neither plough, nor reap, nor mow, nor thresh, and are not fit even, as you say, to dig, and know none of these occupations, the consequence would be that they would sink in those countries to which you would send them, until they became about the most helpless people in the world. But besides the objection to the emigration of this particular class, as a rule all wholesale systems of emigration have proved not only abortive and disastrous, but sometimes most cruel. We had in 1847 a wholesale system of emigration. What was the consequence? The destitute people were hurried away from Ireland to Canada and America, and they were adapted to the occupaion for which they were destined. What happened in consequence of their having been thus sent forth in a body, with the most charitable intentions I do not doubt? Several thousands died on the passage. Upwards of 10,000 died of those who landed in Canada and America; a cry of horror came over the Atlantic, and a law was passed both in Canada and America to prevent emigrants from coming to those countries in that state of helplessnes. If you propose now to send those cotton spinners to Canada or to America, have you made provision for them when they land? It really is the cheapest kind of philanthropy for these gentlemen, who date their letters from Wessex, to call out, "Send the people away to America." But how, I ask, do you propose to provide for those people when they reach America? There cannot be a cheaper mode of being benevolent on a large scale than is resorted to by these gentlemen who write letters to newspapers or make speeches in this House advocating wholesale emigration, and who throw the responsibility on other people, in case the writer's or speaker's most genial and amiable plans should not be carried into effect. Have the working people been consulted? I will just ask the hon. Gentleman opposite, who speaks as if he represented the entire body of operatives (though he has not shown us his credentials), this one thing—has he ever found any great body of the working population expressing themselves desirous of emigration? My experience is that almost everybody wants everybody else to emigrate. A public meeting might be got up at Rochdale in favour of emigration; but the idea with each would be that somebody else should emigrate, that the ranks of labour might be thinned, and thus it would be better for the remainder. When men emigrate of their own accord, they make arrangements for their arrival. When they land, they have preparations made to initiate themselves in the ways of the country, and they know persons to provide places for their reception; but, be assured, when you have this wholesale system of emigration got up by public bodies, and more especially in an emergency, it usually turns out disastrously and very often most miserably for the emigrants. Besides, who is to pay the expense of emigration on this multitudinous scale? It is not enough to send people away and disembark them on the coast of America. You must send them out with capital to secure food and shelter for them. Even if you send them where land is cheap, you must supply them with everything for a year; you must give them tools and seeds; otherwise you send them there to perish from destitution. That will cost a sum of money that you have not calculated, and for which no person makes provision. The writer in the papers or the poet that sits down in Dorsetshire to write a receipt for the cure of Lancashire distress, do not send any calculation or trouble themselves with arithmetic, but throw wholesale blame on the people of Lancashire because they do not follow their prescriptions. I do not wish to be misunderstood. I am not speaking of emigration in the interests of the capitalists, and do not mean to say it is a bad thing of itself for people to emigrate. On the contrary, if they can better themselves, I would advise them to emigrate. But emigration is an expedient not worth a moment's consideration unless you come down with your calculations, and say how much it is to cost when you have landed the people on the other side of the Atlantic. And now one word with respect to the question more immediately before us. My right hon. Friend has brought in a measure which has met with almost universal approbation, and I do not intend to offer any criticisms upon it at its present stage. But I do not think my right hon. Friend's plan, any more than the emigration plan, will cure our distress. I have been always under the impression that there is no specific for the evil under which we are suffering. It is something which does not admit of a simple and complete remedy. But I hope my right hon. Friend's measure, coupled with emigration, together with additional powers of borrowing given to the Poor Law Guardians, and supplemented by the individual efforts that may be made by the landowners and capitalists in Lancashire, will do all for the mitigation of the evil that can be done. But my right hon. Friend proposes to meet the case by enabling the districts to borrow money in order to supply the people with labour. I think that a most important thing. It is as important to devise means of employment as to provide the money. To keep these people for another twelve months in idleness would be demoralizing to them, and I would almost prefer seeing thousands of them take a voyage over the Atlantic, with the certainty of their coming back when the cotton trade revives, than see them languishing thus in idleness. The project therefore is a wise one; but it is only a permissive measure, and can be carried out only by the co-operation of the local authorities. My right hon. Friend having done his part, I hope every parish and district will feel it its duty to do its share, and to apply the powers which my right hon. Friend proposes to place in its hands. It has been attempted to be shown that we are not likely to have such a bad winter in the coming one. But, I am assured there are causes which justify the expectation that next winter will be worse than the last, supposing we do not receive cotton. The reason is, the people's means are almost exhausted. Last year the operatives had some savings, the result of their economy. They are gone. In the next place, there was a large and munificent public subscription. We cannot expect that to be repeated. Then there is another resource which has failed. There is no doubt that at the commencement of the distress the working people got considerable credit from the shopkeepers, who expected that trade would revive soon, as it had often done before. I am afraid that aid cannot be repeated. So that you have the savings of the people gone, the credit with the shopkeepers stopped, the public subscriptions at an end. Next winter, therefore, those districts will have to face this great difficulty, and to rely solely on their own resources. It is a wise step, then, to offer those facilities for the employment of the people on reproductive labour, for we must not shut our eyes to this fact, that though there may be a diminution in the number of the unemployed, the distress, I am afraid, will have spread into a portion of the community which hitherto have been able to keep their ground—I mean the humbler classes of shopkeepers, and those who thus far have been able to bear up. Therefore, you must enable something to be done for these classes by advancing money on the rates and allowing a long period for repayment. Before I sit down, I would ask my right hon. Friend to give a week before going into Committee, so that the public may understand the purport of the measure, and, in the end, I trust it will be made satisfactory to all parties.

Mr. FERRAND said, he rose to explain. The hon. Gentleman had asked him whether he had any authority from the operatives to recommend any specific in that House. His reply was, that at a meeting which was held in Manchester there were twenty-seven delegates from the operatives of Lancashire and Cheshire, who informed him that the population generally looked upon emigration as the chief remedy for the evils under which they were suffering, and he had presented many Petitions to that effect on their part to the House.

Sir GEORGE GREY: I will not occupy the time of the House for more than a few moments while I make some remarks upon objections which were taken to details which may more fitly be considered at a future time by the House. The hon. Member for Devonport (Mr. Ferrand) is the only person who really objected to the Bill. But the hon. Gentleman entirely misapprehends the object of it. I should not wonder at the opposition of the hon. Gentleman, if I could agree with him that it is the duty of the Government to find employment for the distressed operatives. Her Majesty's Government, however, have always declined the responsibility of providing employment for the people, at the same time that they have said they were willing to assist the local authorities in giving employment out of their own resources, and in maintaining the people by means of temporary occupation, not as paupers, but as independent labourers. The principle of this Bill, as has been well observed by the hon. Member for Rochdale (Mr Cobden) is not to provide employment for all, but by advancing money upon favourable terms to enable the local authorities, each within their own districts, to afford employment, if they think fit to avail themselves of the facilities of obtaining loans for a long period at a low rate of interest. I earnestly hope, if Parliament should grant those facilities, advantage will be taken of them by the local authorities, so that employment may be given to the unemployed; and, if that is done, I think the wages paid for the work done ought to be on the same scale as that by which similar work would be remunerated in that part of the country. I believe a great portion of that work may be taskwork, and thus a greater stimulus to exertion may be given. An attempt has been made to raise a prejudice against the kind of work. It was said that some of the work was not suited to those who were to be employed upon it, such as the deepening of rivers and emptying of drains, as if those were the only works contemplated. The Local Government Act provides means for borrowing money for certain works, but it had been suggested in Lancashire that it would be desirable to extend the description of works to which the loans might be applicable, and this is done in this Bill. It was not intended, however, that persons should be employed upon works for which they were unfit. The greater the variety of works, the greater the probability of giving employment to all. One word now with respect to Mr. Baker's report. The hon. Member for Devonport (Mr. Ferrand) said that Mr. Baker had been sent down with private instruction from Government to make out a case against emigration. Now, that suspicion is totally unfounded. Early in the Session—I believe before the hon. Member for Devonport took his seat—the noble Lord the Member for Leicestershire (Lord John Manners) asked me whether I had received any information from the Factory Inspectors with regard to the adaptation of the machinery of the cotton mills to the various kinds of cotton which took the place of the American product. I applied to Mr. Baker, the Inspector of the district, and he informed me he had very little information on the subject, but the purport of that information I stated to the noble Lord. I had not the slightest communication with Mr. Baker after that, until I received the Report which has been referred to. On receiving that Report I showed it to the noble Lord who asked the question, telling him that if he made a Motion for the production of it, it should be laid on the table. With regard to emigration, I very much agree with what has fallen from the hon. Member for Rochdale. The Government would do extremely wrong to endeavour to make a case against emigration, or to place obstacles in the way of persons willing to emigrate; but for a large and useful system of emigration these conditions are essential:—You must have not only persons willing to emigrate, but fit by age and capacity for the purpose, and you must also have colonies which are willing to receive them, and where there is employment for them. Unless these conditions are fulfilled, it would be useless and cruel to encourage emigration. With regard to Australia, it has been said that large sums are coming over to this country to be applied to the purpose of emigration. In that case the Government, and, I presume, the local authorities in various parts of the country, will not oppose the slightest obstacle in the way of the agents of the Australian colonies in their endeavours to induce persons whom they think would be useful in them to go out; but I believe that any attempt on the part of the Government to foster general emigration by funds voted by Parliament would be injurious to the emigrants themselves, and meet with a very unfavourable response in the Colonies. They might desire to obtain labourers of a particular class; but if they thought that we were sending out persons merely because they could not get employment in this country, it was not likely that such emigrants would be received with much favour. With regard to the present Bill, though it is not proposed as a complete remedy (for, indeed, it is impossible to propose a complete remedy), I think that it is calculated, in the best and most unobjectionable way, to mitigate the existing distress, and I trust that it will receive the assent of Parliament, and be acted on by the local authorities.

MR. SCULLY said, he should be sorry to offer the slightest obstacle to the passing of the Bill, but he hoped that when the subject of Irish distress came under discussion, no English Member would be found to plead the principles of political economy as a bar to affording relief to his (Mr. Scully's) starving country-people. But whenever funds were voted to encourage emigration, Ireland would be a good country to begin with. The Irish peasantry were fit to emigrate, and had already left the country to the extent of 2,000,000 or 3,000,000 persons. When the distress loan was lent to Ireland, it was specially stipulated that no part of it should be expended on reproductive objects, and some very plausible reasons were given. One was that it would be idle to expect a fair day's work from men who were starving, and he wished to warn English gentlemen not to expect that full value would be given in the shape of manual labour for the proposed loan of £1,500,000 they were going to advance; for it would be absurd to expect a good day's work from cotton operatives who were wholly unused to such employment. He presumed, however, that the value of the expenditure would be that it would apply a stimulus to local exertion. He thought there was something in the objection pointed out by the right hon. Gentleman the Member for Oxfordshire (Mr. Henley) to the character of the 9th and 10th clauses, which referred to the employment of the operatives, under the local boards, in the improvement of private estates. Under these provisions there was great danger of jobbery. ("No!") His Friend below him said there were no jobbers in Lancashire; but he was of opinion that there were more jobbers in England than in Ireland, only English jobbers did not openly call each other so, as was the habit with his countrymen. Judging from the amount of the payments to the poor rates in the distressed districts, he did not think that the distress in Lancashire at all approached to an equality with the Irish destitution in the famine years, when the people died of starvation in the ditches, or even at the present moment. The excuse made by those who would not relieve Ireland was that the distress in that country was chronic, and the people were used to it. Unfortunately that was true. Even if the coming harvest should be a good one, there would be greater distress in Ireland next winter than had been experienced in the famine years. During the famine years some classes were thriving; but latterly no class had been thriving except the holders of Government places and officers. He had no wish to interfere for the purpose of stopping the small relief proposed by the Bill to his fellow-countrymen—for he hoped he might call them his fellow-countrymen—in Lancashire and Cheshire. There had been a beautiful and promising spring in Ireland. That, however, was nothing new. Every spring was beautiful and promising there; but when the time came for getting in the harvest, favourable weather was a miracle. They never could get in their harvests in Ireland. If a Motion were made in that House to help Irishmen to emigrate, there would be a great deal of political economy nonsense spoken in opposition to the proposal. He remarked that those who attended statistical societies, and wrote on political economy in their garrets or other purlieus, knew nothing of what was practically going on in the world, and he regarded their arithmetic in the same light as he did much of the political arithmetic of the day—as so much rubbish.

MR. BAZLEY observed, that if the reports of returning prosperity in the cotton districts went forth to the world unexplained, they would be calculated to give rise to very mistaken notions as to the actual state of affairs in Lancashire. The greater employment of labourers was to be accounted for by the absorption of labour from other pursuits and by the migration of labourers from one place to another. The increased employment of which they were told did not represent increased employment of the operatives at that labour to which they had been accustomed, and which was their ordinary pursuit. There was no better criterion of the extent of employment in cotton manufacture than the consumption of the raw material. That did not amount to anything like 25,000 bags per week, while there was an ability to consume 50,000 bags per week. Then, with respect to what had been said by the hon. Member for North Warwickshire on the subject of new mills, it must be remembered that a mill could not be built and fitted with machinery so as to make it ready for work in less time than two years, or from that to three years. The mills then opening must have been planned and commenced two or three years ago; and therefore they were rather to be attributed to the state of things that had existed three years ago than to be looked upon as indicative of a desire to make further investments in the same manner. He could have wished that a great and courageous effort had been made in the Indian and Colonial Departments to meet the existing want, by obtaining a larger supply of the raw material; but he gave his cordial support to the proposition of his right hon. Friend, though, tested by economical principles, it was somewhat irregular; and he was exceedingly gratified to find that it gave general satisfaction to the House.

Sir FRANCIS CROSSLEY said, he rose in consequence of a remark which had fallen from his hon. Friend the Member for Rochdale. His hon. Friend had anticipated great distress during the ensuing winter from three causes:—First, that the savings of the labourers were diminished; secondly, that the shopkeepers were no longer able to give credit; thirdly, that the subscription lists were closed. With respect to the latter of the above three causes, he was sorry that the idea should get abroad that the subscription lists were closed. He thought that on every ground it was necessary that the subscription lists should be kept open, and he doubted not that public benevolence would not be checked.

Bill read 2°.

Mr. COBDEN said, it would be satisfactory to the country if his right hon. Friend named a day for proceeding with the Bill in Committee.

Mr. C. P. VILLIERS said, he proposed to fix the Committee for that day week.

Bill *committed* for *Thursday* next.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

DISTRICT MODEL SCHOOLS IN IRELAND.

OBSERVATIONS.

Mr. O'REILLY said, he rose to call attention to the large expenditure on the District Model Schools in Ireland.

Mr. SPEAKER said, he wished to ask the hon. Member whether he intended to discuss the Vote for the schools. The rule of the House was that on the Motion for going into Committee of Supply no hon. Member should discuss any Vote which was about to be introduced in Supply.

Mr. O'REILLY said, it would be necessary for him to discuss the Vote; and therefore, in compliance with the rule of the House, he should reserve his observations till they were in Committee.

Motion *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply *considered* in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That a sum, not exceeding £236,016, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for Public Education in Ireland, under the Commissioners of National Education in Ireland."

Sir ROBERT PEEL: Sir, in moving the Vote for Public Education in Ireland it is usual to make a few observations; but the subject has been so much discussed during last year and the year previous, that I presume it will not be desirable for me to detain the Committee with any lengthened remarks, and I shall therefore follow the example of my right hon. Friend the Vice President of the Committee of Council, confining myself simply to the increase or decrease in the Vote of the present year compared with the past. No one will be disposed to contend that the system of national education in Ireland has failed in answering the end for which it was instituted, or will deny that since the Earl of Derby first introduced it in 1831, up to the present time, immense advantages have flowed from it, particularly to the poorer classes. We educate annually about 800,000 children, and this fact alone will make it sufficiently manifest that the public benefits from the system cannot be easily over-estimated. For the year ending March 31, 1863-4, the total sum asked for is £306,016, showing an increase of £15,112, over the total Vote taken for the year ending 1862-3, which amounted to £290,904. The increase is consequent upon the natural increment which takes place in the salaries of those who are engaged in teaching in the 6,000 schools in Ireland, and also upon the increase in the number of schools. Thus, in 1860 there were 5,632 schools, whereas in 1861 there were 5,830, and in 1862 6,010, showing an increase of 180 in favour of 1862-3 as compared with the previous year; and the average daily attendance in 1862-3 shows an increase of 320—that is to say, in 1861 there were 284,726, while in 1862 we had an average daily attendance in the schools of 285,055. In the Votes which are submitted to the Committee, the national education is included under thirteen items, in seven of which there is an increase, and in four a decrease, as compared with 1862-3. Let me explain the particular items upon which the increase takes place. In the metropolitan model schools there is a small increase, to the amount of £306; in the district model schools an increase of £970; and in the minor model schools one of £900, as compared with 1862-3; so that the total increase in the cost of these model schools amounts to about £2,000. The total sum asked for this year under these three heads is £27,647. Two or three years ago, my right hon. Friend who preceded me in this office stated that an engagement was entered into that the number of these schools should be limited to twenty-six; and that number has now very nearly been reached, for at present there are seventeen district and seven minor model schools in active operation, while two have not yet been completed—that at Cork, for which we took a Vote the other night, and another. When these schools are opened, we shall have reached the limit to which, according to the arrangement I have mentioned, the Government are at liberty to go. The model schools are part of the original system, of national education in Ireland. When the Earl of Derby introduced this system, he laid it down that the teachers should be educated at these model schools; and it is important to remember this, because I think that the hon. Member who has given notice of a Motion on this subject is not alive to the advantages which accrue from schools of this nature. In 1831, the Earl of Derby, then Mr. Stanley, wrote to the Duke of Leinster, stating the intentions of the Government with regard to teachers, and he stipulated that they should have received previous instruction in a model school, to be sanctioned by the Board. I am aware that these schools have recently met with some opposition from the Roman Catholic prelates; but they are closely wrapped up with our system of national education in Ireland. We train those whom we expect to maintain the standard of education in the 6,000 schools scattered over the country; and it is remarkable, that in 1840 the Roman Catholic prelates of Ireland were then entirely in favour of a system of education based upon the instruction of pupil teachers and monitors in model schools. The Roman Catholic prelates at that period passed a resolution—

> "That it would be very desirable to have a model school in each of the four provinces when the funds of the National Board might be found sufficient for that purpose, as such an establishment would inspire the inhabitants of the province with greater confidence in the system of national education."

Therefore, nine years after Mr. Stanley had declared that he adhered to the system of model schools the Roman Catholic prelates also assented to the system. From 1848, when the system may be said to have begun, these model schools have, in the opinion of those best able to judge, worked immense benefit to the country; and, notwithstanding the opposition of the Roman Catholic prelates, the attendance at them has not diminished, because, whereas in 1850 the number of pupils—Roman Catholics, Established Church, and Presbyterian—was 1,410, in 1855 it amounted to 2,949, in 1860 to 5,024, and in 1863 to 9,253; and I believe that in the quarter ending March last, more than 10,000 young persons were receiving in the model schools of Ireland a superior education. I cannot help thinking that that state of the case is extremely satisfactory. As regards the salaries of teachers, there is an increase of £13,610; but a considerable portion of this is owing to an error which was made last year, resulting in an absolute deficit of £4,500. The remaining increase is due to the establishment of additional schools during the year, but chiefly to the increment of the salaries of the principal and assistant teachers in the ordinary national schools.

For navigation schools the Vote is exactly the same as last year. The navigation schools have certainly not succeeded as much as we could have wished. They were established three or four years ago, in consequence of the extraordinary success attending a navigation school in the county of Antrim. That school was under the superintendence of a man who afterwards became a teacher in the Belfast National

School, and in it somewhere about forty of the most distinguished captains in the merchant service received their education. Among them was, perhaps, the most distinguished captain in the merchant service —Captain Macdonald, who commanded the *Marco Polo.* It was owing to the remarkable success of the Antrim School that the attention of the Government was called to the subject; and now we have navigation schools in Dublin, Belfast, Londonderry, Carrickfergus, Waterford, and other places. In the Vote for the Albert Agricultural Establishment at Glasnevin, and the agricultural training schools throughout Ireland there is a diminution of about £1,500. It was with extreme reluctance that I entered into an engagement last year to reduce that Vote; but I have fulfilled the promise which I then gave in deference to a strong expression of opinion on the part of several influential Members of this House connected with Ireland. We have diminished the number of pupils in the Albert Institution from seventy-five to sixty; and if it be the wish of the Committee that a still further reduction should take place, it will be incumbent on us to adopt its recommendation. I would point out, however, that since the establishment of these agricultural model schools, and particularly since the establishment of the Albert Institution, we have expended upwards of £20,000; and I cannot help thinking that it would be a great calamity if that large sum of money, in addition to the annual Votes, were to be thrown away now, before we have derived from these schools the full advantages which, if maintained on an efficient footing, they would unquestionably produce. Having reduced the number of agricultural pupils, we have abolished the office of assistant agricultural steward, done away with three lectureships, and finally disposed of several items which appeared in the Vote last year. We have also let one of the agricultural model farms, thereby saving about £300, so that altogether there are now nine agricultural farms let to other parties. ["Hear, hear!"] Hon. Gentlemen cheer that remark, as though they approved the diminution of agricultural schools; but I, for one, entirely deprecate a policy which is lessening the opportunities for a vast number of young persons obtaining a scientific knowledge of the art of agriculture. There are now about 500 pupils in these agricultural schools, which are established in different parts of Ireland. For example, there is one on the estate of my right hon. Friend the Member for Limerick, and I believe it has worked very efficiently.

MR. MONSELL: Quite the contrary.

SIR ROBERT PEEL: I thought it worked admirably; at any rate, my right hon. Friend gave us the land very cheap.

MR. MONSELL: The school has been given up, with my consent.

SIR ROBERT PEEL: I am sorry to hear it; but I can only repeat what my noble Friend at the head of the Government said last year, that though we gave way to what appeared to be the sense of the Committee, we view this reduction of the Vote for agricultural schools, I will not say with apprehension, but with considerable regret.

In the book department there is an increase of £1,000, consequent on the necessity for improving the books in use in the national schools. It is necessary that these books should be revised for the purpose of adapting them to the wants and requirements of the present time, and also for the purpose of introducing into them fuller particulars regarding Ireland itself. The Board of National Education recently appointed a Committee of nine of their own number to revise the books, and the Committee may rest assured that the work will be done with proper care and circumspection as regards the different religious creeds in Ireland, with a view to put the book department in a more efficient condition than heretofore. In the central establishment there will be a small increase, in consequence of some salaries in the clerks' departments having undergone a natural increase. On the whole, then, there is a change in eleven items this year as compared with last. In seven items there is a total increase of £17,162, and in four there is a total decrease of £2,005. There is, consequently, a net increase on the whole Vote of £15,112. The hon. and gallant Member for Longford (Mr. O'Reilly) has given notice of a Motion relative to the model schools. I shall be glad to hear his remarks, but I hope the Committee will agree with the Government and the National Board that no system of national education in Ireland can work satisfactorily without model schools. At this moment there are 1,300 children educated in the Belfast model school alone, of whom 613 are Presbyterians, and 330 are Roman Catholics. In Belfast the system works most harmoniously. We never hear of the children quarrelling, though in Belfast, as the Committee knows, religious feeling is as strong as in any other part of

Ireland. There is no such thing as an accusation of proselytism; in fact, not only in Belfast, but in Londonderry, Dublin, and other places, the model schools are the admiration of every one who takes the trouble to visit them. Reference has been made to the expensiveness of these schools. The total cost does not exceed £28,000 per annum. It is a fact that the children receive an education infinitely superior to that obtained in the national schools in England, and yet the cost per head is not more, exclusive of the normal department, than 34*s.* a year. The number of children are increasing year by year. The hon. Member near him wished to diminish the Vote for national schools. [Mr. O'REILLY: My Motion does not mean that.] I am glad to hear it. I saw at Galway and at Limerick the effect of the opposition to these institutions. I would, however, remind those hon. Members who oppose the model schools because they are distasteful to the Roman Catholic hierarchy, that if Roman Catholics object to the system of model schools, they are not excrescences of recent growth, but were part and parcel of the original system, and that Protestants might equally object to the grants to common schools in Ireland, which I should be sorry to see in any way diminished. In those common schools about 60,000 young girls are receiving an education—secular, religious, and industrial. I trust the Committee will maintain the grants to both classes of schools. I am not aware that I have anything more to add at present, but I shall be ready, of course, to give any further explanations that may be required. I will only remark, that the principal reduction is in the agricultural department, which has been made not by my desire, but in obedience to a pledge given last year to the House which I have felt bound to carry out.

MR. O'REILLY said, there were three descriptions of schools in Ireland — the ordinary schools, the government and management of which were vested in local bodies; the training schools in Dublin, which were essentially for teachers; and the district model schools. But he wished particularly to call the attention of the Committee to the district model schools of Ireland. He did not intend to discuss the whole system of national education, which had, no doubt, been founded with the best intentions, and which had been productive of much good, but had also done some harm. Neither did he object to the training schools in Dublin, as he admitted the teachers should be well trained. But, when he turned to the district model schools and the minor model schools, he took a different view. It was true that some pupil teachers were trained in these schools; but out of 5,000 pupil teachers only about 136 were supposed to be educating for teachers in after life. He objected to these schools, because they were a distinct addition to and a violation of the original principle on which the national system was based; because they gave education at the public expense to the children of those who could afford to pay for it; because they were extravagantly costly; because they were unnecessary; because they introduced an unfair competition with other schools; and—this particularly — because they tended towards one great centralized system of State education. The Chief Secretary had said that those schools were an essential portion of the scheme of national education, and had been contemplated from the beginning; but that was not the case, as one fact would distinctly prove. The national system was inaugurated in 1831, and it was not until 1849 that these schools were established. The right hon. Gentleman, to prove that these schools had been contemplated from the commencement of the system, had referred to the letter of Lord Stanley, in which it was laid down that it was desirable that teachers should be educated in a model school, sanctioned by the Board; but that would not apply to schools established in the country. The cardinal principle of the system was, that it was to be in aid of voluntary efforts, and not to establish a system of State education. The letter of Lord Stanley laid it down that no application for aid should be granted unless it was joined in by the clergy of both religions. But in Enniscorthy and other places, model schools had been established in defiance of protests from the Protestant rector and the Roman Catholic priest. The letter of Lord Stanley also stated that the Commissioners would invariably require that local funds should be raised upon which the grant of public money would be dependent. But, in the instances to which he had referred, not one farthing had been raised from the localities in aid of the model schools. By the Report of the Commissioners in 1844, it appeared that the control over teachers in these schools was vested primarily in the local patrons; but in the cases alluded to there were no local patrons, and the whole controlling functions were absorbed in the Commissioners. The Reports of the Commissioners of 1825 and 1827, upon which were based the recommendations of 1831, showed that the principle laid down then was that public grants for education should be distributed through a Board in aid of local contributions for the foundation and support of schools; but now there were many schools founded against the wishes of local authorities, and dependent entirely upon the Commissioners' grants.

Then, again, those schools gave education to those who could afford to pay for it. The principle of giving education to those who could afford to pay for it, had been over and over again repudiated in England, and ought to be repudiated with regard to Ireland. To give the Committee an idea of the class of children attending these schools, he would mention a few facts. At Londonderry Model School in 1862, the children of the Mayor were receiving a gratuitous education. Another model school was attended by the sons of a barrister. At Galway, he found that out of an average attendance of 200 scholars 57 were the children of persons who could afford to pay. Among the parents were two architects in good practice, one builder, two solicitors, two millowners, two apothecaries, one shipowner, one Independent minister, one commander of a revenue cutter, one Custom House officer, one Excise officer, three clerks in public offices, two merchants' clerks with good salaries, and twenty-seven manufacturers and tradesmen. Was that the class for which public grants of money should be made? The cost of the Galway school was £5 14*s.* per head. The Enniscorthy school was a very remarkable one. The average attendance of pupils last year was thirty-one. The cost of the school was £268 a year, or £8 13*s.* per head. Among these thirty-one pupils he found children of the following:—A wine merchant, a rich miller, a gentleman, a chief clerk in an old mercantile house, a clerk of a gas company at £100 a year, a respectable haberdasher, a watchmaker, a gentleman possessed of large house property, a considerable farmer, a rich shopkeeper, a respectable grocer, and a number of others. Was this, he again asked, the class for which the State should provide education? He would not characterize such a system by words of his own; but he might quote the words of the Chancellor of the Exchequer the other night, when he said, "I deny that such people are, for one moment, entitled to call on Parliament for a Vote of money in aid of the education of their children." Those words applied to Ireland as well as to England, and he hoped the right hon. Gentleman who used them, having commenced equality of taxation in Ireland, would see the necessity of giving equality in other things. What was the cost of the education provided by the public for the children of those who could afford to pay for it themselves? He could not follow with accuracy the calculations of the right hon. Gentleman. He said the cost of educating each child was 35*s.* per annum; but that did not include the payment of teachers. By a law of our nature the cost of such institutions must grow. The cost of model schools had considerably exceeded the estimate. The annual cost of maintenance for each was very slightly under £1,000 instead of £400. In England the annual cost of each child on the Privy Council grant, including all expenses of tuition and inspection, was 16*s.* In the schools of the Christian Brothers in Dublin, where there were 1,371 children, with an average daily attendance of 1,000, and of which the Commissioners of Endowed Schools in Ireland gave the most favourable account, the annual cost was little more than 6*s.* per head, and the education was at least equal, if not superior, to that received at the model schools. In Belfast model school the average attendance was 1,100, and the cost per head £3 7*s.*; in Galway, £3 per head for salaries alone; in Enniscorthy, as he had already said, the cost per head was £8 13*s.*, and of the thirty-one pupils, eleven were infants and two paid monitors. Of the 10,000 pupils on the roll of these schools, the average attendance being 5,000, there were 2,000 learning the first book of lessons, beginning with the letters and never going beyond words of one syllable; of the remainder, 3,000 were learning the second book, consisting of words of one syllable. There were 2,000 more in the sequel to the third book, and who had got so far as easy words of three syllable.

But great stress was laid on the fact that these schools educated teachers. Now, it appeared that only 136 teachers were in process of training, and the schools were hardly necessary for such a purpose. One fact was worth a hundred assertions. A few years ago he wanted a trained teacher for a school upon his estate in the west of Ireland. It was a poor district, and the school fees amounted to nothing. As remuneration he offered a house and a small piece of land, not estimated in money value at more than £10 a year. He advertised for a teacher, and he had twenty applicants—conclusively proving that there was a superabundance of teachers in Ireland. If the schools were not wanted for training teachers, were they wanted for the supply of a superior class of education? A few facts would dispose of that argument. In Enniscorthy, where there was a model school with thirty-one pupils, including the eleven infants, there were two Christian Brothers' schools with 700 pupils, a classical and commercial school for Roman Catholic boys with 80 pupils, and several schools for Roman Catholic girls with 800 pupils. The members of the Church of England, though small in number, were not without schools. There was an endowed Erasmus Smith school, an excellent classical and commercial school, for the clergymen of the Church of England did not approve of the model schools, and an excellent middle-class Protestant seminary for girls. In Galway, where there was the much-vaunted model school with 600 pupils, but only 314 attendants, including a large proportion of infants, the Roman Catholics had a Jesuit college with 50 pupils, an intermediate school of the brothers of St. Patrick, with 125 pupils, a large monks' school attended by 1,100 boys, and for girls a Sisters of Mercy school, a school of Presentation nuns, and other schools, attended altogether by 1,800 pupils. The Protestants had an endowed Erasmus Smith school, and private schools with 4,000 pupils. A model school for 300 infants was therefore not needed in Galway. In Kilkenny, where the model school had 175 children, the Roman Catholics had a boarding and day college connected with the Catholic University and the University of London. A Christian Brothers' school with 1,200 pupils, four ordinary national schools, a Sisters of Mercy school with 800 girls, and a Presentation nuns' school with 1,000 girls attending it. The Protestants had a classical college and a large classical and middle-class day school. The model schools were not created to supply any real want, but to fulfil the crotchet of the Commissioners and to absorb the education of the country.

Another objection has been very ably stated by the hon. Member for Berkshire (Mr. Walter), who said a large number of private schools of a superior description intended for the middle classes, suffered considerably from competition with schools receiving the Government grant. What was true with regard to England was equally true with regard to Ireland, and proofs were not wanting that schools supported by voluntary contributions in Ireland suffered from unfair competition with schools which were supported out of the public funds. Fortunately, a spirit of resistance had been roused, and the free schools had not been crushed, but that was an accident upon which they ought not to count. It was no recommendation that the Government schools had alienated from them the confidence of the great mass of the population of Ireland; and he maintained, that if they were to be supported out of the public funds, they ought to be so organized as to respect the religious feelings, or, if they liked to call them, the religious prejudices of the Roman Catholics.

He opposed these schools on the ground that they gave only a secular education, but more strongly for the reasons which he had stated, that it was a step towards centralization, and placing in the hands of the Government the whole system of education. The principle had been repudiated in England, and had never answered in any country where it had been tried. Eminent statesmen, including Sir James Graham, had pointed out the impossibility of such a system being successful. Then Lord Stanley, the founder of the national system in Ireland, of which that to which he was referring was an excrescence, speaking in the debate on English education in 1839, said that he rose to grapple with the Ministerial proposition, and to oppose any measure which would give direct control over the moral and religious education of the people of this country to any Board. The right hon. Gentleman the Member for Bucks had fully endorsed that sentiment with respect to England, and he now appealed to him for support in the view which he was advocating with regard to Ireland. The right hon. Gentleman said he was an advocate of national education, but that it did not therefore follow he should be an advocate of State education, and that, believing the system which was sought to be established by the Government was alien to the habits and contrary to the genius of the English people, he should oppose, to the utmost of his power, the rash attempt at centralization. The Chancellor of the Exchequer took a similar view; and, with those authorities on his side, he had no hesitation in appealing to the House to repudiate a system to which he, for one, should deem it to be his duty strenuously to object. The right hon. Gentleman the Secretary for Ireland, he might add, had confirmed by an instance which he gave, the justice of the course which he took; for in the case in which he alleged a school of navigation had succeeded in Ireland, he had admitted that the Government had been led to establish it because of the great success of the free schools in the county of Antrim. The Roman Catholics of Ireland were, he might further observe, opposed to those model schools, upon the ground that they were State schools, as much as any other members of the community; but they were opposed to them also because they were founded on the absence of religious teaching. In the case of the ordinary National schools, the children when they returned home learnt their prayers at their mothers' knees; and besides, there was always exercised over those schools the control of the local patrons. But in the schools which were solely the property of the Government, and in which many of the pupils resided, and were thus removed from home influence, the objection to the want of religious teaching applied with double force. To recapitulate his objections to these schools, they were foreign to the original system; they gave an education to those who could afford to pay for it; they were extravagantly costly; they were unnecessary; they competed unfairly with other schools; they were fatal to free education; and, above all, they were a step towards the system of centralized State schools which had been repudiated in England. As it would be impracticable to move the rejection of the whole Vote, he moved the reduction of the Vote by £268, the cost of the Enniscorthy schools, which were attended by thirty-one pupils, in order to afford the Committee an opportunity of expressing an opinion that steps ought to be taken for the gradual abolition of these schools. The hon. and gallant Gentleman concluded by moving that the Vote should be reduced by £268.

Mr. BAGWELL said, the hon. Member had made a speech which might be just, but it was not generous. He (Mr. Bagwell) was of opinion that the model schools were originally established with a sincere wish to benefit the people of Ireland. He could not help thinking that the hon. Gentleman was actuated not so much by an objection to the cost of these schools as by a desire to establish a denominational system of education in Ireland. In the south and west, where the bulk of the property belonged to Protestants, while the majority of the population were Roman Catholics, such a system, which depended upon voluntary subscriptions aided by proportionate Government grants, could never be successful. If the model schools were abolished, the National system would go with them. And if that system was destroyed, he did not believe that from Clonmel to Cork there would be any education at all. He said that because before the introduction of the National system there was no education. Thirty years ago there were nothing but hedge schools, which were carried on in shanties by the side of the roads, and each child carried with it a piece of turf to warm it during the day, as its contribution to the support of the school. In the towns the Roman Catholics of Ireland could and did educate their children admirably, but in the country they could not. Even the excellent schools which they had in the towns they owed to the model schools, but for which they would never have had them. The hon. and gallant Gentleman had said that these model schools had annihilated the private ones. That was true enough, but the abolition of the model schools would not bring back the private schools. In Clonmel there used to be half a dozen good schools, but they had all vanished, and their place had been supplied by the model school. If that was done away with, the people would look in vain for the resuscitation of the private schools which it had supplanted. The abolition of the model schools would involve the destruction of the National system of education, and the check of that gradual improvement which had for many years been going on in Ireland.

Mr. MAGUIRE said, that the hon. Member for Clonmel (Mr. Bagwell) had answered himself. He denied that the National system depended upon the model schools, or that those who were in favour of a denominational system had any desire to arrest the progress of education in Ireland. They saw that that system flourished in England, and they were convinced that it would be equally successful in their own country. No one desired to go back to hedge schools. No one was anxious to destroy the National system, or to interfere with the existence of a Board in Dublin of Inspectors who should afford a guarantee to the State that the money which was voted for education was properly expended. Let his hon. Friend the Member for Clonmel banish from his mind the idea that Irish Catholics were such foes to progress, and such lovers of retrogression, as to wish to go back to the days of hedge schools. He would ask, did not the fact that, even in those days of penal laws, men were found willing to educate, and children anxious to be taught, speak volumes for the Irish thirst for learning? The hon. Member opposite admitted, that if the model schools were abolished, Catholic children would still find the means of education in towns. Surely it was not in wild rural districts that he would place those model schools. The fact that there was something wrong in the National system was shown by the Returns relatively of children in the National schools and in those of the Christian Brothers. He was credibly informed that in Cork the Christian Brothers had actually seven-eighths of the children in the schools whose names were on the roll; while the proportion of the National schools was only one-half. These model schools had destroyed the free schools, the commercial, and the classical schools; they gave education to the very class which was able to pay for it, to the detriment of the humbler classes, whose means of instruction they lessened. He opposed the system further, on the ground that it was not right to place in the hands of the Government a monopoly of education. An effort had been recently made to get up one of those model schools in Cork. A memorial was hawked about, and persons by false representations and cunning distortions of fact were bamboozled into giving their signatures; but many who had done so afterwards repudiated the memorial, and sought to have their names erased. His hon. Friend (Mr. O'Reilly) had proved his case beyond all doubt, and the hon. Member for Clonmel, instead of shaking it, had strengthened it considerably. Some respect was surely due to the solemn expression of opinion by the Catholic heirarchy. For his own part he thought it an outrage upon Ireland to have a mongrel and godless system foisted upon the country under the name of a mixed system; and he believed the day would yet come when English Members would insist on the extension to Ireland of the denominational system. Practically, the mixed system had failed in three provinces, and in the fourth its success was by no means unqualified. In maintaining its existence the Government were really perpetuating a delusion.

Mr. POLLARD-URQUHART said, he should support the Motion of his hon. Friend the Member for Longford, as he believed the model schools to be a mischievous excresence on the National system.

Colonel GREVILLE said, he considered that a system which was condemned by the Protestant clergy on the one hand, and by the Roman Catholic clergy on the other, could not be perfect, and was not suited to Ireland. It had been introduced as a compromise, and he was not disposed to underrate the good conferred on Ireland by it, but it had lost the great safeguard against tampering with the religious faith of the children, which was its great recommendation. When they saw the right hon. Gentleman the Chief Secretary attending a meeting in London, and publicly stating his opinion, that the Irish Church was a missionary Church for the conversion of Roman Catholics, the Government could not be surprised at a want of confidence in the National system of education and in those who administered it.

Mr. O'HAGAN said, that as a Commissioner of National Education in Ireland, he should not shrink from stating the opinions which he had deliberately formed, and had always openly asserted, although he entertained the highest respect for those Gentlemen in the House and the many out of it, who did not concur in his views. He felt, that in acting as a Commissioner and in sustaining the national system, he had acted for the real good of Ireland. Thirty years ago that system was introduced in Ireland by the letter of the Earl of Derby, then Mr. Stanley, which would be one of the highest titles of that nobleman to a foremost place in the history of his country. The letter was written under these circumstances:—The people of Ireland were at the time in a lamentable condition in reference to their educational institutions. When the Catholic Emancipation Act passed, and the great principle of civil and religious liberty was established, there had been a slight change for the better; but although the Catholic schoolmaster was no longer forbidden to teach his co-religionists, and the Catholic parent was no longer forbidden to teach his own sons, a spirit of ascendancy still prevailed, and every experiment had failed because the perversion of the pupil's faith was made the condition of the pupil's progress. The letter of Mr. Stanley promised a system from which every suspicion of proselytism should be excluded, and which should give secular instruction to all, without interfering with the religious principles of any one. A Board was established, comprising among its members many of the most eminent men of Ireland; and, although altered more or less in its constitution, the Board had continued through the changes and chances of thirty years, encountering very various and violent opposition, and never pretending to give a perfect system, yet on the whole believing that it was working substantial benefit to the whole people of Ireland. What had occurred demonstrated that the system was accepted by the Irish people as one of the greatest blessings ever conferred upon them. In 1833 there were 789 schools and 107,000 pupils. In 1843 there were 2,912 schools and 355,000 pupils. In 1853 there were 5,023 schools and 550,000 pupils; and in the year ending with 1862 there were 6,010 schools and 811,973 children attending them. It was too strong a thing for any hon. Member to say, in the face of those figures, that the system had been rejected by the Irish people. It was not true either that the Roman Catholics repudiated the system. The number of schools put in connection with the Board since the 1st of January 1861, down to the present time, was 520, of which 287 were Roman Catholic, 106 Established Church, 32 Methodist, 91 Presbyterian, and 4 other denominations. The application for building grants, induced by the concession of the late Chief Secretary from the 1st of January 1861, had been 136. These were the facts in reference to the acceptance of the system by the people of Ireland. Some thirty years had passed, and the national system of education had dotted the country with school-houses from the centre to the sea, and had pervaded every hamlet and every hovel of the land with its far-reaching influence; and during that time not one single instance of proselytism had been established, or even brought forward, with reference to any one of those schools. Was he wrong, then, in asserting that these schools had been a blessing and a benefit to Ireland?

It was, however, argued, that because model schools were alleged to be an excrescence, the whole system ought to be rejected. He would not controvert the general principle that a system of education, supported and controlled by the people, was to be preferred to a system under the trammels of the State. But that principle must be considered in reference to the particular circumstances of the case. What was the condition of Ireland when the model schools were introduced? In the first place, it was not denied that some model schools, to train the teachers and serve as examples of good instruction, were necessary. No great system of education, either on the Continent or elsewhere, was considered complete without model schools. Any one who knew the state of Ireland thirty years ago would admit, that if they were to be established at all, it could only be by the aid of the State. The Earl of Derby accordingly proposed that a model school should be established in Ireland. In 1834 the Education Commissioners proposed to the Irish Government that there should be a division of Ireland into districts, each of which should have a a model school. In 1835 the Marquess of Normanby came to Ireland, and in reply to his inquiry as to what the Commissioners recommended, they published a Report proposing that there should be thirty-two model schools of preparatory training for the model school in Dublin. In 1837 the system of pupil teachers and of boarders in the institution was suggested by the Commissioners. Previously, in 1831, Dr. Doyle had suggested the training of pupil teachers and the establishment of model schools, and the accuracy of his opinion had been confirmed by subsequent events. In 1840, high authorities in the Roman Catholic Church had recommended the establishment of a model school in each of the four provinces, in connection with its existing system. In 1858, when as yet there had been no formal objections by any body of prelates, all the schools now existing or in progress had either been built or arranged for, so that the Government were committed; and, at the same time, there had been on the part of the Government an undertaking that no further schools should be built without the express assent of Parliament. The question, therefore for reasonable men to consider was, whether, without consideration or preparation, those schools which had been growing up for thirty years, and on which large sums of money had been spent, should be all at once abandoned. It might be matter for consideration how far those model schools could be maintained, and what modifications were necessary, and his right hon. Friend had not concealed his willingness to entertain any reasonable suggestions. But he said that from 1831 down to 1858, when the schools were contracted for, there was no report made by anybody in Ireland which ought to have checked the Government in its determination to complete them. The hon. and gallant Member who proposed the Amendment, said, there had been a departure from the original understanding that these schools should have local support. But the Commissioners had found it impossible to obtain any amount of local support worth speaking of, and was it to be said that they should have waited before establishing these schools to get that support which would never have been given? He agreed with the hon. and gallant Gentleman that these model schools were not intended for the better classes; but if the better classes in various districts of Ireland, which were denuded of proper machinery for middle education, chose to send their children to these schools, the Government could not prevent them. The hon. and gallant Gentleman had not taken an exactly fair mode of calculating the expenses of these schools. They had been established with peculiar views, and necessarily with a peculiar constitution. They had not only to educate pupils, but to educate teachers, and they were therefore obliged to expend large sums of money, and to take expenses upon themselves which were not necessary in ordinary schools. It had been asserted by his hon. and gallant Friend that the teaching power of Ireland was quite sufficient for its necessities; but that was a lamentable mistake. At that moment, out of the 7,000 teachers in connection with the National schools who ought to be trained, there were only 3,300 who really were trained; and instead of there being an excess of teaching power, there was, in fact, a deficiency. It had also been objected that there was no religious training in the schools, but the fact was that the time obliged to be given in the model schools to religious training was longer than in the ordinary schools, while the clergy of all denominations were invited to come and give religious instruction to the children belonging to their respective persuasions. One word with respect to the system of education which hon. Members thought ought to be substituted—for, after all, that was the great question. The question of model schools was absolutely nothing in comparison. The great question was, whether or not the system of education which had been established for thirty years in Ireland was to be maintained, or a totally different system substituted. On the one side there were about 800,000 children educated in the ordinary schools, and 10,000 children, whether of the rich or poor, in the model schools. The question was, whether the principle of Mr. Stanley's letter was to be maintained, or whether a denominational system was to be imported into Ireland. Anything more injurious to the people of Ireland, or to the Church of which he was a member, than such a change he could not conceive. The Christian Brothers' schools, admirable as they were, and stamped as they had been by the approval of the Endowed School Commissioners, could not possibly supply the great and gigantic want of education in Ireland. The alternative, then, was a denominational or separate system. But the essential principle of the denominational system was that the contributions of the State must depend on the contributions of the people; and did any one who knew the condition of Ireland, impoverished as it was, believe that such a system could be worked there? It might be said, "Introduce the separate system." He was sorry his right hon. Friend the Member for Dublin University (Mr. Whiteside), the Corypheus of the Church Education Society, was not in his place to take part in the discussion. That society proposed that there should be a money grant from the State. But before the Catholic people of Ireland could come to terms with the Church Education Society, although that society professed to have the same object, two questions should be asked. First, was that society prepared to concede to the Catholics a proportion of the State funds corresponding with their numbers—would they give 70 or 80 per cent to the Roman Catholics of Ireland? No; their view was that the rich man who contributed a certain amount of money should be aided by the State, but that those who were poor and could not contribute should not receive that aid. And the next question was this, "Was the Church Education Society willing that every Roman Catholic child should be excluded from every Protestant school, and *vice versâ?*" The answer to that would be, that such a thing would be an interference with Christian liberty. What then would be the result? It would be this:—

The Protestants of Ireland, who had the wealth of the country in their hands, would receive largely from the State; and in every parish in Ireland there would be planted a proselytizing school superior in the means of education, with ample attractions for the poor, and every Catholic child who entered it would receive an exclusively Protestant education. He believed such a change would operate most injuriously to the peace of the country, and that its effect would be to evoke the spirit of proselytism which had been so long the curse of the country, and which, under the disguise of religion, had been the means of spreading throughout the land ill-feeling, malice, and all uncharitableness. Considering the matter, then, in the double light of an Irishman anxious for the peace, the union, and the prosperity of the country, and of a Roman Catholic, anxious to maintain in its integrity the faith which he professed, he believed that the preservation of the system as it existed, with such changes as upon full consideration ought to be made, was, both for religion and for the country, at this moment the best. They were still in a transition state in Ireland, and in the very infancy of her social progress. For twenty-five short years only they had been free from the withering blight of sectarian ascendancy and religious disability. He devoutly hoped that there was a good and fair future still in store for Ireland. That it might be realized, it appeared to him essential that there should be cultivation, sound intelligence, social harmony, and mutual trust among all the people of Ireland; and, in his humble judgment, those results would be best secured, maintained, and perpetuated by the operation of the national system of education.

The O'CONOR DON said, he would not follow the right hon. and learned Member into all the topics he had alluded to, but would address himself only to the particular and distinct question before the Committee. He was surprised to hear the right hon. and learned Gentleman maintain that the model schools were an essential and necessary portion of the system of education in Ireland, when it was the fact that not a single model school was instituted until eighteen years after the education system had been in full work in Ireland. Regarding the model schools as training colleges, he observed that they had been entirely unsuccessful, for out of 5,000 students only about 167 were trained as teachers. He was unable to discover, in the speech of the right hon. and learned Gentleman, anything exceptional in the state of Ireland to justify them in maintaining, at their present enormous cost, these model schools, which gave an education of a character too high to be suitable for the position in life of the children of the labouring classes, and fit only for the better classes, who were able themselves to provide the means of instruction for their own children. If meant to be training colleges, these model schools were far too numerous. In England the training schools were conducted on the denominational system, and there was no good reason why the same should not be the case with respect to the model schools in Ireland. There might be a sufficient number for each of the three religious denominations, in Ireland, and they might be maintained at a far less expense than that incurred in the maintenance of those institutions, which had failed to give satisfaction in Ireland, and were open to those objections, financial and otherwise, which had been so clearly stated in the speech of his hon. Friend. He could assure hon. Members that the subject was regarded in Ireland as one of great importance, and he submitted that it was well worthy the consideration of the Government and the House of Commons.

Lord CLAUD HAMILTON said, that in the eloquent speech of the Attorney General for Ireland, the right hon. and learned Gentleman had gone considerably beyond the question which the Committee had to deal with. Nor had he noticed the fact that the majority of the children were educated not in the vested but in the non-vested schools, which were not under the control of the Education Board. For himself, he must say, that while admitting the National system had been productive of much good, it was one to which he had been unable to give a cordial support. It had not been conducted in accordance with the rules on which it had been established. Throughout its existence there had been a systematic deviation from those rules. Archbishop Whately, one of the most learned and sincere advocates of the system, found it had been so tampered with in practice that he felt obliged to withdraw from his position as Commissioner. The public mind in England had been deluded with respect to the working of the system by the magnificent school in Dublin, which was shown to strangers as a model of those which were to be found throughout the country. Strangers were told that it was a model of what so many of the bishops and clergy and the landed gentry had set their faces against. But the school in Dublin must not be regarded as in the slightest degree a model of the National schools of Ireland. Some time ago the Roman Catholic Bishop of Waterford requested that a model school should be established in his diocese; but on examination of the rules he would not sanction it, for he said, that while in the National schools there was in reality no mixed education, and the clergy had a control over them, that was not at all allowed in the model schools, and there the Commissioners of Education were the sole patrons. He (Lord C. Hamilton) highly approved these model schools, in which a sound education was given, and all denominations were admitted. On former occasions he had called attention to the necessity of enlarging the grant, so as to give greater scope and development to the system; but, while he bore this testimony to the excellence of the model schools, he protested against the supposition that they were a fair type of the working of the National system.

Mr. BLAKE said, that in the case alluded to by the noble Lord, the Bishop of Waterford thought that he would have as much control over the model school as he had over the other National schools within the diocese; but on finding that that was not the case, and that he would have no power over the appointment of teachers or the selection of books, he rescinded his petition. So far as the Roman Catholics of Waterford were concerned, the model school there was a complete failure, and such would continue to be the case throughout the country. Considering the distressed circumstances of Ireland, a State subsidy for education in the country would always be a great boon, but to be effective the system must be denominational.

Mr. MONSELL said, that between the model schools and the general schools of the country, there was a total divergence of principle, and his desire was that the former should be placed in harmony with those schools which he admitted had conferred enormous benefits on Ireland. Out of 5,500 schools existing two years ago, 4,000 were non-vested, and 1,500 vested, the 4,000 being almost entirely in accord with the Report of the English Education Commissioners—namely, schools in which there was separate religious instruction, with a conscience clause, the patron of the school having the sole direction of the religious instruction, but not being allowed to enforce it upon those who disapproved it. That was the system which ought to prevail in Ireland, but it did not prevail in the model schools. No one could defend the principle of these schools in England or Scotland. The National school in Limerick was established at a cost of £5,513, and the annual outlay amounted to £1,143. There was an average attendance of 167 scholars, besides 82 infants. Among the parents of the children were architects, rich shopkeepers, doctors, and other persons perfectly able to pay for the education of their offspring as any hon. Member of that House. One of the first names he observed on the list was that of a gentleman who, to his certain knowledge, possessed an income of £1,000 a year. Now, the other schools in Limerick, chiefly Roman Catholic, contained 4,500 children, and their cost was only £630. So, with respect to the convent schools in Ireland, it was universally admitted that their secular instruction was perfect, and when the Earl of Derby was Chief Secretary he put them on an equality with the other schools; but from that day to this the grant to them had not been increased, whereas the pay of the rest had been raised 400 per cent. He did not think that was equal justice, and he hoped the Attorney General, at the next meeting of the National Board, would endeavour to transfer to the convent schools some of that enormous wealth which was at present lavished so uselessly on the education of the children of rich people.

Mr. LEFROY described, in language borrowed from a public journal, the extent to which crime and outrage prevailed in Ireland, and expressed his belief that the only remedy for the existing state of things was to be found in sound religious instruction. On that ground he had always protested, and would always continue to protest, against the National system of education. If he had any prospect of success, he should not hesitate to submit a Motion on the subject; but, as it was, he did not think he could do better than abstain from voting on the question now before the Committee. The Church Education Society thought they had a right to some part of the grant for public education, as they sought to afford instruction to all who desired it at their hands, but upon whom they did not force it. The society did not desire to monopolize the education of Ireland, but they did think they had a claim to a share of a grant that was professedly made for public education in Ireland.

Motion made, and Question put, "That the Item of £19,180, for District Model Schools, be reduced by the sum of £268."—(*Mr. O'Reilly.*)

The Committee *divided:* — Ayes 38; Noes 122: Majority 84.

Original Question again proposed.

Lord NAAS said, he wished to know whether the reduction in the agricultural establishment was to be progressive and continuous?

Sir ROBERT PEEL said, the reduction that year upon these establishments was about £1,500. As a sum of about £20,000 had, at various times, been expended in erecting buildings for these establishments, he was indisposed to lose all the benefits of the outlay; but if the Committee should desire the reduction to be continuous, he should not resist that decision.

Mr. HENNESSY moved that the Chairman report progress.

Viscount PALMERSTON said, he hoped that after the division that had just taken place, the Committee would be allowed to come to a decision on the Vote.

Mr. MONSELL said, he would remind the noble Lord that the last division was only upon a sum of £20,000 out of a total of £300,000.

Sir ROBERT PEEL said, he trusted, at all events, that that Vote would be disposed of, as the whole evening had been devoted to its discussion.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Hennessy.*)

The Committee *divided;* — Ayes 36; Noes 115: Majority 79.

Original Question again proposed.

Mr. HENNESSY said, he would appeal to the noble Lord at the head of the Government not to go on with the Vote after half past twelve o'clock, especially as the House would sit again that day at twelve o'clock.

Sir ROBERT PEEL said, he hoped the Vote would be agreed to. He was quite ready to give any explanation that was required.

Mr. COX said, he hoped the noble Lord would give way.

Mr. Lefroy

Viscount PALMERSTON said, he could not agree to report progress at that hour. They had been discussing the subject for six hours, and might now decide upon it.

Mr. HENNESSY moved that the Chairman leave the chair.

Motion made, and Question put, "That the Chairman do now leave the Chair."—(*Mr. Hennessy.*)

The Committee *divided;* — Ayes 31; Noes 110: Majority 79.

Original Question again proposed.

Colonel GREVILLE said, it was nothing short of tyranny for the Government to force the Committee to go on at that hour with the Vote, which contained many important items that had not been touched upon. He begged, therefore, to move that the Chairman now report Progress.

Mr. BENTINCK said, he should support the Motion. It was contrary to established practice to proceed with Supply after midnight when objection was taken to it.

Viscount PALMERSTON said, the argument of the hon. Member for Norfolk would be perfectly sound if the Government were then proposing a new Vote. All, however, that they asked was that the Committee should come to a decision upon a Vote which had been under discussion for the last six or seven hours.

Mr. DOULTON said, he hoped that the Committee would come to a decision that night. Irish Members seemed anxious to keep the question open, in order that they might go home and refresh themselves, and then commence the discussion *de novo.*

Mr. MORE O'FERRALL said, the question involved a large expenditure of public money, and could not be settled satisfactorily that night.

Mr. HENNESSY said, he did not know whether the hon. Member for Lambeth's (Mr. Doulton's) constituents would regard the matter as a trifling one. It was a question of only £305,000, and it was almost the universal opinion of the Irish Members that the Vote was a waste of public money. He could tell the noble Lord that he would hear a great deal more about the Vote before it passed. The hour (one o'clock) was too late for continuing the discussion.

Sir ROBERT PEEL said, he had been there continuously since half past seven o'clock, and was therefore more likely to be fatigued than the hon. Member for the

King's County (Mr. Hennessy), who had not come in till twelve. He also had to be present at the morning sitting, and therefore he had a greater right to complain than the hon. Gentleman, if there was really any ground for complaint. If, however, the Committee insisted on a postponement, the Government would not press the Vote that night.

Mr. SCULLY said, the hon. Member for Lambeth had charged the Irish Members with wishing to go home to refresh themselves; but from the manner in which that hon. Gentleman had spoken it did not appear that he himself needed to be refreshed.

Whereupon Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Colonel Greville,*)—put, and *agreed to.*

House *resumed.*

Committee report Progress; to sit again *To-morrow.*

NEWCASTLE-UPON-TYNE (ST. MARY MAGDALEN) HOSPITAL BILL.

[BILL 162.] SECOND READING.

Order for Second Reading read.

Mr. LYGON said, he wished to ask for some explanation of the circumstances of the charity. He took exception to the clauses in the Bill which provided for the endowment of a chapel with £500 per annum, the assignment of an ecclesiastical district, the sale of the advowson for the benefit of the charity, and the collection of pew rents.

Mr. LOWE explained that the Bill was a compromise of a local controversy, and all parties were anxious that it should pass.

Bill read 2°, and *committed* for *Monday* next.

LAND DRAINAGE (PROVISIONAL ORDERS) *re-committed*) BILL.

[BILL 85.] COMMITTEE.

Order for Committee read.

Mr. H. S. THOMPSON moved that the Bill be re-committed to the former Committee, to consider and report upon the merits of the Petitions presented to the House against the Bill.

Motion, by leave, *withdrawn.*

Bill *considered* in Committee.

House *resumed.*

Bill *reported;* as amended, to be considered on *Monday* next, and to be *printed.* [Bill 173.]

ELECTION PETITIONS BILL.

Select Committee on the Election Petitions Bill *nominated:*— Mr. Ayrton, Sir George Grey, Mr. Massey, Mr. Edward Pleydell Bouverie, Lord Henley, Mr. Monsell, Mr. Herbert, Mr. Serjeant Kinglake, Sir William Heathcote, Sir William Miles, Mr. Knightley, Mr. Adderley, Mr. Walpole, Mr. Hunt, and Mr. Serjeant Pigott:—Power to send for persons, papers, and records; Five to be the quorum.

POSTMASTER GENERAL (SALE OF LAND) BILL.

Bill to enable Her Majesty's Postmaster General to Sell and otherwise dispose of Land, *presented,* and read 1°. [Bill 174.]

HOWTH HARBOUR BILL.

Bill for the further improvement of the Harbour of Howth, *presented,* and read 1°; and referred to the Examiners of Petitions for Private Bills, and to be *printed.* [Bill 175.]

House adjourned at a quarter before Two o'clock.

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HOUSE OF LORDS,

Friday, June 19, 1863.

MINUTES.]—Public Bills—*First Reading*—Marriages Registration (Ireland)* (No. 147); Waywardens Contracts [H.L.]* (No. 148); British Columbia Boundaries [H.L.]* (No. 149).

Committee—London Coal and Wine Duties Continuance* (No. 104); Local Government Supplemental* (No. 130).

Report—Local Government Supplemental*.

PRIVATE BUSINESS.

Lord REDESDALE moved, That section 9 of Standing Order No. 178 be suspended during the Remainder of the Session.

Agreed to.

POLAND—ALLEGED RUSSIAN CRUELTIES.

QUESTION.

Viscount STRATFORD DE REDCLIFFE said, he wished to put to his noble Friend at the head of the Foreign Office a Question or two upon a subject which he deemed of the utmost importance. Those Questions referred to the manner in which the war was being carried on in Poland, and to the cruelties which it was alleged were being practised in suppressing the insurrection. It would be within their recollection, that when the subject was brought before their Lordships a few weeks ago by the noble Earl opposite, the Secretary for Foreign Affairs gave them to understand that he would make a communication to the House as soon as the state of the negotiations would permit. He should have waited with patience for the noble Earl to fulfil that promise at any time when his noble Friend should judge that the proper time had arrived; but seeing that the public prints contained statements which must produce a great impression upon the countries of our allies, and might materially influence public opinion in this country in a manner ultimately inconvenient to Her Majesty's Government, he thought it right to call attention to those statements by means of the Questions which he should put to his noble Friend. The circumstances which were noticed in the papers might, or might not, be strictly true. There was at present no official information as to these atrocities; but his noble Friend might throw some light upon the matter. It was impossible, however, to consider the nature of the war, and not to see that in all probability very great cruelties would be perpetrated. Such large interests were at stake, the character of the Russian Government was so well known, and the insurrection was so formidable, that no doubt there would be great severity practised and great abuse of authority. He would read the substance of what he had taken from the public newspapers during the last two or three days, connected with a warfare of a most murderous character and with a struggle of a most exciting nature. The fact was that there now existed a reign of terror upon both sides—upon the side of authority and on the side of the insurgents. The principal items of intelligence which he gathered from the newspapers were these:—"Priests and citizens executed without forms of law, and with circumstances of superfluous cruelty." "Women and children put to death wholesale in their places of shelter." "Unprovoked attacks on private houses." "Prisoners slaughtered in cold blood." "Threats of forcing people to address the Emperor on pain of being hanged in case of refusal." "The prisons full to overflowing, and only relieved by daily executions." "Landowners imprisoned, and their estates confiscated, for giving food or drink to passing insurgents." "Ladies threatened with the knout or rod for being dressed in mourning, or not giving up their accused husbands." He believed their Lordships would agree with him, that if one-tenth of those statements were true, there would be sufficient to force the European Powers to a deep consideration of the subject, and to call forth a universal expression of detestation. He believed that it was the natural result of desperation on the one side, and a sense of endangered power on the other. He gave his noble Friend, and he gave Her Majesty's Government generally, credit for being animated by the best wishes, and by a desire to find a satisfactory solution. But he could not avert his eyes from the consequences of this state of things, and he was therefore anxious to elicit from his noble Friend something positive, or something on which reliance could be placed. The subject was one of great importance. The circumstances were so pressing, so shocking, and so fraught with evil consequences, that he hardly needed to apologize for occupying a few moments of their Lordships' time. It was of the greatest importance to ward off any collision between the different Powers. Things were coming to the point at which principles would be at enmity with each other, and the interests of different countries might come into collision; and it was for the interests of this country, as well as of Europe, to see whether a state of things could not be brought about which would be satisfactory not only to the parties concerned, but to Europe generally. He did not pretend to made any suggestion on the subject, but he entertained a strong opinion that unless something were done of a positive character which would produce a separation between the two parties so long engaged in hostility with each other, and whose hostility was of a nature not easily to be set aside, there could be no cure for an evil which had so frequently proved itself dangerous to the peace of Europe, and which would become more and more so. He wished to ask the noble Earl, At what period of the Session he anticipated being able to lay on the table further communications with respect to the affairs of Poland; and also whether he had received any information respecting the rigour and cruelty displayed by the Russian authorities towards their prisoners, and particularly as to the issue of the atrocious order for the flogging of women?

Earl RUSSELL:—My Lords, with respect to the first Question of my noble Friend, I have to say that no long time will elapse before I shall be able to lay additional papers on the table of this House, containing communications which have taken place, on the part of Her Majesty's Government, respecting the affairs of Poland. On Wednesday last despatches left London, Paris, and Vienna for St. Petersburg, containing the views of the three Powers respecting the present state of affairs in Poland. The views expressed, I think, will be found to be very nearly identical. When an answer has been received, I will lay the papers on the table; and, I will add, that if there is any delay—a delay of more than a few days—I will lay on the table the communication which Her Majesty's Government has made to St. Petersburg, without waiting for an answer. With respect to the noble Lord's second Question, the only corroboration we have of the accounts of the rigour and cruelty said to be practised by the Russian Government which have appeared in the newspapers, is a passage in a despatch from our Consul at Warsaw, from which it appears that some persons who had been taken prisoners by the Russians had been put to death without any judicial process—I suppose by some form of court martial. As to the atrocious order said to have been issued with regard to the flogging of women, I cannot believe in the existence of it. We have had no authentic accounts of such an order being issued; and I certainly could not address a remonstrance to the Russian Government, except I had the best evidence of the issue of such an order. Atrocious acts of pillage have been committed by peasants; but I am assured by Prince Gortschakoff that inquiries have been set on foot with a view of convicting the persons who have been guilty of these acts, and that some are already in prison awaiting their trial. The Russian Government entirely denied having anything to do with the acts with which these persons are charged.

Lord BROUGHAM said, he was extremely rejoiced to hear that his noble Friend did not confirm the reports which had been received in this country respecting the issue of a most atrocious order by the Russian authorities in Poland. No doubt, there had been much exaggeration; but for there being much foundation for the accounts received he could answer from his own information. Unfortunately—though he did not say it in extenuation—atrocities were too frequently inseparable from civil war. Not only on this side, but on the other side of the Atlantic, much was going on which was to be deplored and to be reprobated. He did not mean to say that in the contest going on between the North and the South any atrocities had been committed of the same character as those described by his noble Friend opposite as having been perpetrated in Poland, but there had been abundance of things done not only to be lamented, but strongly to be reprobated. He only wished that he could see any prospect of an end being put to that contest, which was disapproved and lamented by the unanimous voice of Europe.

BRAZIL.—PAPERS MOVED FOR.

The Earl of MALMESBURY: I rise, my Lords, according to Notice, to call the attention of the House to the state of our Relations with Brazil, and to move for two documents, one of which the noble Earl (Earl Russell) says he will produce, and which will explain the ground on which he assessed the damages demanded from the Brazilian Government—and the other one which I think ought to be presented, because it contains the first claim made by Her Majesty's Government on the Brazilian Government in the case of the *Prince of Wales.* I think your Lordships will not think that I am trespassing on your time uselessly, when, after having made this Motion, I proceed to make a few observations with respect to the state of our relations with Brazil. It is impossible that some remarks should not be made on the subject in both Houses of Parliament. I think it plainly the duty of some Member of this or the other House to bring the subject forward; and I am sure that the noble Earl will allow, that having laid the papers on the table, he has challenged your Lordships' attention to it. Your Lordships will remember that two months ago I gave notice that I would bring on this subject; and that then the noble Earl begged me, for his own personal convenience, to defer it; and he afterwards informed the House that he considered the matter settled. I therefore thought it better to leave well—or rather ill—alone, and say no more on the subject. I was in hopes that the question had somehow or other been settled, and that the Brazilian Government had yielded in some way or other to the demands of Her Majesty's Government. But, my Lords, we now find that such is not the case. The noble Earl himself has been as much disappointed as your Lordships; for after the opinion he gave, that the matter was settled, I find that the Brazilian Minister has actually left Her Majesty's Court, believing that he could no longer consistently with his honour remain. My Lords, this is a very serious event to have taken place as connected with any country; but I consider that there is no country, great or small, with whose interests we are connected, a rupture with which would be of greater importance than with Brazil. My Lords, we must remember that an envoy of a foreign country cannot be driven away, or leave this country, as a swallow at the end of the summer to seek a more genial climate, without attracting our notice:—we cannot allow a Minister to depart from this country, declaring that he has been unjustly treated, and that he cannot, consistently with the dignity of his Sovereign, remain here; and it behoves the noble Earl this evening, if he can, to show that he has been right in all his claims—that he is not only right in what he did claim, but that when making reprisals, when the claim was refused, he did so in the most conciliatory and in the manner least offensive for a transaction of this kind, when we are dealing with an old ally and a friendly nation. Now, my Lords, I consider this subject of very great importance in a national and a political point of view. Looking at the commerce with this country, there is hardly a country that is of greater value in her relations to England than Brazil. It is said—and, I believe, truly said—that our commerce, exports and imports, amounts to at least £20,000,000; and it is, I believe, perfectly true that the English capital invested in that country amounts to £15,000,000 or £16,000,000. But beyond the commercial interests, we have to look at the political interests involved. Brazil is a country with which it is of great importance that we should maintain friendship. Supposing that unfortunately we were at war with the United States—or what were once called the United States—of America, there is no country in the world of greater importance to us as an ally or as a neutral power than Brazil. There is no country who, if she went against us, or if she acted unfairly towards us, while we were engaged in such a war, could do us more harm than Brazil. What is the state of that country now? They are exasperated to the greatest degree—to such a degree, that forgetting all party dissensions, which are very strong in Brazil, the whole of their Houses of Parliament went unanimously to the foot of the throne to condole with His Majesty the Emperor on the insult which had been offered to him. But not only the representatives of the people, but the people themselves, are exasperated with what has been done—and I think I shall be able to show your Lordships there is nothing more natural than that they should be exasperated. Mr. Consul Christie was anything but correct in his anticipation that all passion on the subject would soon die away. I hold in my hand a letter written on the 10th of last month by a person at the head of a rich and powerful English house in Brazil. He says—

> "As I foresaw, the English question has raised a most powerful opposition to the present Ministry, and at this moment there is little doubt that they will retire, and it may be that the Emperor will be compelled to dissolve the Chamber. . . . I assure you the dispute with England is far more serious than you believe it at home. Indeed, so far as I can judge from the English papers, you know nothing about it. Here, absurd as it may be, all is warlike—a national subscription coming in every day, and the Emperor eternally inspecting fortifications and superintending artillery practice. The National Guard, also, are called upon to do permanent service as soldiers. In the speech from the throne on Sunday last, the Emperor said he was waiting indemnities and satisfaction from England. I do not believe anybody knows how it will all end."

Now, I ask your Lordships whether that is not a painful state of things to exist in the only country which is a model for South American nationalities—the only country in that part of the world which has survived its childhood uncorrupted by the democratic institutions which prevail everywhere else there? It has survived even the great States in North America. And this is the country which the acts of England have placed in such a position that it is as likely as not we may see the Republican party at the head of its affairs.

My Lords, in proceeding with the question, I have four charges to make against the acts of the noble Earl opposite. My first charge is, that he made no allowance whatever for the peculiar state of the country in which those events took place. My second charge is, that he abdicated his own judgment and responsibility to his subordinates in Brazil. I am ready to admit that in some instances the noble Earl has been as much sinned against as sinning; but a person in the position of the noble Earl is a sinner when he allows himself to be sinned against. My third charge against the noble Earl is the imperious style in which he addresses an ally of Her Majesty. I charge him with not having used his personal exertions to settle this question, but left it to be settled by his subordinates. And my fourth charge against him is that of having committed illegal and impolitic acts when he executed the reprisals; and I hold, that even if those reprisals were justifiable, the manner in which they were executed cannot be justified.

Now, my Lords, as to the first point, the noble Earl made little or no allowance for the circumstances of the country. He forgot the history of Brazil; he has forgotten to consider its immense size, and how wild and almost unpeopled a great part of that vast continent is. He has also forgotten to consider what I may call the youth of that country. It is only forty years old. It is the offspring of one of our oldest allies in Europe, but its existence as a separate nation dates to only forty years back. And, my Lords, what was the history of other countries when only forty years old? What was the history of our own? I will not go back to the time of the Conquest, or to the time of the Edwards, or to the time of Elizabeth; nor shall I go back even to the time of the Stuarts; but I shall take that period to which the noble Earl himself is so fond of referring—the beginning of our constitutional history, 1688, when certainly we had fallen into something like organization, and from which our existing liberty may be said to date. What were we forty years after that date, which brings us down to 1728? What were we then as respects our police and the organization of our society? Why the days of 1728 were those of Jack Sheppard, Jonathan Wyld, and Captain Macheath. The state of things existing among us then was no more to be compared to that which exists at Rio now than a society of wild Indians is to that of a civilized people. At that time burglaries, highway robberies, and assassinations were of frequent occurrence in the suburbs of London. And what were the country parts of England in those days? What was Cornwall? What were the people there? What was Hampshire, my own county, where every magistrate was a smuggler? Then go to the Hebrides—see what they were. Read the accounts given of them by Sir Walter Scott and Lord Macaulay. In fact, what was this country forty years after 1728? Yet the noble Earl treats Brazil, which is not one quarter civilized and one fifth populated, as if it were an old established nation, which should have its police arrangements cut and dry as they are in this metropolis. Again, what is the position of the very spot on which the occurrences, which led to this diplomatic rupture, took place? Albardao is no less than 900 miles from Rio. It is eighty miles from the little capital of the province in which it is situate. The arm of the Executive must be very long indeed if it can reach effectively to such a distance. Such was the stage on which this unfortunate shipwreck took place—this unfortunate dispute arose. Let us now look at the actors. The first actor was Mr. Consul Vereker. I have not the honour of knowing him, nor do I think that when in office I had much official communication with him; but I have before me what has been stated about him by his colleague Mr. Consul Christie. Speaking of Mr. Vereker, Mr. Christie says—

> "It is of course known to the British Government, as it is to your Lordships, that Mr. Vereker when he lately came from Rio Grande on his way home, was in a state of nervous excitement, with a delusion about attempts to assassinate him."

It is a disagreeable thing to have to mention these circumstances; but they are perfectly notorious, and it is impossible to omit them in the consideration of the case, because the opinions of Mr. Vereker, as transmitted to the noble Earl, have a very strong bearing on the part which the noble Earl took in the matter; and in the progress of the case I think I shall be able to show that Mr. Vereker very much misrepresented the case to the Foreign Secretary. The next actor on the stage is Mr. Christie himself, our Minister at Rio. With respect to this gentleman I am not going into the history, which, I regret, was brought forward in another place, with respect to his correspondence with his American colleague. Papers on the subject were sent to me. I suppose Mr. Christie sent them, for they are in vindication of that gentleman. I have nothing to do with the cause of the dispute to which they refer; but, whether it was his misfortune or his fault, he was not on good terms with the Brazilian Minister nor with colleagues of his in Brazil. I say it may not be his fault, but certainly it is a very great misfortune not only to him but to his Sovereign. There can be nothing so fatal to our interests in a foreign country as that the English representative at the Court of that country should not be on good personal terms with the Foreign Minister of that Government. If he is not, and any dispute arises, it is hopeless to think of settling it.

It is equally to be deplored that a diplomatic agent should not be on good terms with his colleagues from other countries, for they may have it in their power to materially assist him in settling any dispute that may arise. I recollect that in 1858, after my noble Friend who had preceded me in the Foreign Office and myself had failed in obtaining the release of Poerio and his fellow prisoners, I had the honour to attend Her Majesty in a journey which she made to Berlin. There I met the representative of the Sicilian Court, and I had some conversation with him on the subject of the liberation of Poerio, and I believe that it was in consequence of that conversation Poerio obtained his liberty. I do not know how the desired result was brought abont. I suppose the gentleman to whom I refer had considerable interest with the Sicilian Government or with the King himself; but, at all events, the fact shows how useful a colleague may be in assisting an English Minister at a foreign Court. Unfortunately, Mr. Christie's position in Rio was such as I have described, and it appears evident from the papers that this was the case; for in no instance can I make out that he had any personal communications on this subject with the Brazilian Minister until just before he was going to make reprisals. He seems to have had but one mode of proceeding, and that, as all your Lordships who know anything of diplomacy must be aware, is not at all a conciliatory one. Mr. Christie begins with a note, goes on with a note, and ends with a note. Now, a note in diplomacy is very much what a cartel was in the days when gentlemen quarrelled and meant to fight. When two Ministers have a conversation, it is common enough for one to say, "Don't send me a note. We will talk the matter over again." A note is a very formal and solemn proceeding, and certainly is anything but a friendly one. But this is the way in which Mr. Christie carried on his communications with the Brazilian Minister; and of personal communications, with the exception I have mentioned, he seems to have had none. However, the noble Earl seems to have placed implicit confidence in Mr. Christie, and I think he will himself now confess that his confidence was to some degree misplaced. The noble Earl also seems to have placed implicit confidence in Admiral Warren. No doubt Admiral Warren is a useful officer; but it is not for Admirals to settle what demands one Government shall make upon another; and yet the noble Earl accepted Admiral Warren's advice as to the demands he ought to make upon Brazil. Independently of this, the noble Earl committed a very grave error. He took the advice of men who stood, as it were, on the field of battle, who were heated with the dispute, who considered themselves offended, and who, of course, felt and were writing in that sense. In the quiet chambers of the Foreign Office, the noble Earl, with his excellent judgment, if he had taken the question into his own hands, might have settled all difficulties, and yet not have bated one jot the honour of his country. At that period the calmness and the judgment for which I, and many others around me, gave the noble Earl credit, during the dispute with the Cabinet of Washington, were especially needed. Am I going too far when I say that in that dispute with the Cabinet of Washington, the noble Earl behaved like an English Minister, and in this dispute with Brazil like a Yankee Minister? Looking at the despatches which passed in the two cases, no one would suppose that they were written by the same hand; for the one is all dignity and calmness, and the other all violence and injustice, both as to words and acts. Let me now recapitulate, as shortly as I can, the loss of the *Prince of Wales.* This vessel was lost on the desert shore of Albardao, on the 9th of June 1861. A few days afterwards, a gentleman named Soares, a sort of rough magistrate residing on the coast, reported that such a wreck had taken place. On the 12th it was reported to the sub-delegate of police, twenty-four miles off. Mr. Vereker left Rio Grande on the 14th, and reached Albardao on the 16th—so that not much time was lost—and he returned to Rio Grande on the 18th. The delegate gave orders for an inquest and inquiry on the 19th, and on the 22nd of June—that is to say, less than a fortnight after the wreck—an inquest was held on some of the bodies. Mr. Vereker, however, having these delusions, I suppose, from the first, magnified the case to a great extent. I do not for an instant doubt that there was wrecking—that part of the cargo was washed ashore, and part of it plundered by the wild people of the coast; but I do not believe in the murders of which those persons are accused; and even in this country, if there was no more evidence of murder, we could not obtain a verdict against any man. Mr.

Vereker's conduct was most strange. He got what in England we should call a *posse comitatus* to accompany him, and went on horseback to the scene of the wreck. He there met with another *posse comitatus*, which belonged to the Inspector of the district, Senhor Faustino. What comes into his head? Not that Senhor Faustino and he had the same object in view, but that this person and his comrades were his enemies. So he began to count which had the larger number of men, and finding that he had fewer men than the other—though he seems to have been a bad arithmetician, and precisely the reverse was the fact—he said he thought it dangerous to go inland and make any further search. Being now very hungry and tired, he went to the house of M. Soares, a sort of yeoman magistrate, like many who in 1728 were to be found in this country. There he found two Bibles, and—what he was perhaps just as glad to find—two young ladies. They looked very grave and extremely bored by seeing Mr. Vereker and his *posse comitatus;* and because they showed it, he noted this fact, which was afterwards quoted by the noble Earl in his demands as a proof that the people on the coast were guilty of the crimes charged against them. Really, if this were not a very serious matter, one would be inclined to laugh, in reading Mr. Vereker's despatches, at the foundation for the charges made. Mr. Consul Verěker communicates with Mr. Christie, who takes all for gospel, and proceeds accordingly, he himself never having been within 900 miles of the place. The next mistake was in accusing the Brazilian Government of a disinclination to go into the matter; and another was in immediately sending two English ships of war to the coast—why, I do not know, but it was said that they were to assist the investigation. Now, that was a very great mistake. The Brazilian Minister says—

> "Those embarrassments and difficulties were, I can assure Mr. Christie, increased by the presence of the foreign force in the port, a force which, the public voice said, had come to support the claims of the British Consul, and which, arousing the susceptibilities of the population, who regarded it as offensive to the national independence and dignity, would render unavailing, if not impossible, the efforts of the authorities, because no one would be ready to give such information as he might possess, it being more probable that, from pique, the flight of those compromised would be facilitated."

That is perfectly true, and afterwards he describes how jealous the inhabitants of the coast were when they saw these ships arrive. Mr. Christie, indeed, says that they were gunboats, and only had a gun apiece. But, my Lords, if a single-barrelled pistol is put to my head, it is just as much a menace as if a revolver were held there. It was the insult and the appearance of menace these vessels brought with them which was felt by the Brazilians. This was the first, though not the least, mistake made during these transactions. With regard to the alleged murders, there was no proof to be got, but there is considerable evidence on the other side. Four bodies were found stripped, it is true; but there was no mark of violence found on them. I should say the probability is that these bodies had been found on the beach near high-water mark, that they had been dragged a little way up, and then had been stripped. Two were found clasped in one another's arms, and that is not in the position of murdered men. One remarkable passage is contained in the papers with regard to the murders. Mr. Stephens, the owner of the vessel, who seems to have pressed the noble Earl pretty hard during the eighteen months which the negotiations lasted, writes deliberately to the Foreign Office, and says—

> "I have ascertained that the captain, his wife, and crew, landed safely with his boats on the Brazilian territory, with his British flag, chronometer, nautical instruments, log-book, clearance, and his British register in his pocket, with provisions, and all other necessaries, except firearms or weapons of defence. These were all taken possession of, and the captain and the crew were immediately plundered and murdered, and four of the crew, who escaped about four miles inland, were then murdered and partially plundered."

Mr. Stephens, living at Glasgow, supplies this information, and Mr. Layard naturally asks him how he has ascertained it, to which he replies—

> "I had my information from the captain and crew of the schooner *Hound*, wrecked in the same gale, who saw five of the bodies with knife-cuts and other wounds, and some of them with their heads battered, their clothes rent, and evidence of violent struggles. I would gladly go to London any day after this week you could spare time to go into the matter."

Where is that captain whose name is mentioned by Mr. Stephens as describing the details of a most horrible murder? When an offer is made to the Foreign Office that he should attend and state all he knows, we hear no more of that captain? Where is that man who knows all the circumstances? The noble Earl, no doubt, will tell us what has become of this witness, of whom, at present, we know nothing further. Now, my Lords, with respect to the acts of the Brazilian Government. They did, it appears, hold an inquest upon the four bodies; but they said of those bodies buried on the sands, owing to the shifting of the sands, they could not be found. A verdict was returned according to the laws of the country. Now, these are points which it is essential should be borne in mind in considering the bearing of international law upon this subject. The Brazilian Government dismissed two officers for being slow or negligent, and they imprisoned eleven persons, but they could not bring any culprits to justice for murders which they denied—and, I think, justly denied—had been committed. There is a little episode comes in here, which I do not think is creditable to the British Government. It appears that after these four bodies had been disinterred at the request of the British Government, and carried eighty miles also at their request, they were again buried with Protestant rites. The expenses of this melancholy duty amounted to £32 1*s.* 1*d.*; that enormous amount was the first reclamation which England made of Brazil. Your Lordships will hardly believe, that for these acts, which were done at the request of England, the British Government refused to pay £32 1*s.* 1*d.* I need not say more upon that point, except that it shows, unfortunately too clearly, the *animus* which was influencing Mr. Christie and Mr. Vereker. My Lords, the noble Earl, not having been satisfied with the decision of the coroner's inquest, nor with the oft-repeated declarations of the Brazilian Government, that notwithstanding all their efforts they could not bring any of the malefactors to justice, the noble Earl thought it his duty to insist upon compensation. Now, it appears to me a very grave question, whether the noble Earl had any right to ask the Brazilian Government for compensation under such circumstances. The Brazilian Foreign Minister, in page 29 of the correspondence, after speaking of the international law upon the subject, and reminding the British Government that, at its request, an inquest had been held upon the bodies, goes on to say—

> "No Government, as Mr. Christie well knows, can be answerable for prejudices caused by outrages committed without its concurrence or instigation in its territory, or by its subjects, against foreigners. The duties and efforts of a just and conscientious Government cannot go further than the employment of the whole means within its reach to insure the conviction of the fact, and the punishment of those proved to be the criminals."

I think that is a proposition that cannot be disputed, and I am supported in that opinion by the authority of Vattel and of Dr. Phillimore. Vattel says—

> "International law does not permit reprisals, except for a cause evidently just, for a debt clear and undoubted; for he who puts forward a doubtful pretension can only ask at first an equitable inquiry into his right. In the second place, before a recourse to reprisals, one must have uselessly demanded justice—at least, have good reason to believe that it would be demanded in vain; then only may one obtain justice by one's own hands. Reprisals ought to be grounded on a denial of justice, either an actual denial or one which there is good reason to apprehend. In all cases susceptible of doubt, a Sovereign ought not to listen to the complaints of his subjects against a foreign tribunal, nor to attempt to screen them from the effects of a sentence passed in due form, for that would be the means of exciting continual troubles. The law of nations directs that States should reciprocally pay that kind of deference to each other's jurisdiction, for the reason that definitive sentence shall be esteemed just."

Dr. Phillimore lays down the same doctrine. He says—

> "Letters of reprisal are not to be granted without a full knowledge of the causes that justify them. Moreover, it must be *res minime dubia*, in which justice has been denied, and it must have been absolutely denied by all the tribunals of the country before which the cause could be brought. An erroneous sentence conscientiously given by free judges, unbiassed and unintimidated by any judicial authority, affords no just ground for reprisals."

And the escape of a malefactor is by no means so unusual a thing as the noble Earl supposes. Even in this country malefactors sometimes escape. There are at this moment several malefactors whom we cannot apprehend. A murder was recently committed in St. Giles's early in the day, and the murderer has not yet been taken. The noble Earl opposite would have said, "We have done our best; our police have used their efforts, and we can do no more." Well, but supposing that the murdered woman to whom I allude had been a Brazilian woman, and that the Brazilian Government should demand of us the capture of her murderer. Could they not, with much greater reason, express themselves dissatisfied with our statement that with all our efforts we have been unable to arrest the murderer? Would they not express their surprise that in such an immense city as London, where there was so large and so efficient a body of police, that a person guilty of such a hideous crime could escape from the hands of justice? Well, but that is precisely our charge against the Brazilian authorities, who have not at their command anything like the means possessed by this country for carrying out the ends of justice. Well, I think that the noble Earl should be satisfied with the explanation of the Brazilian Government both in respect to the coroner's inquest and their inability to capture the robbers, if robbers there were.

Then, again, I do not know how the value of the cargo is arrived at. I beg your Lordships to remember that the ship is said to have been partly laden with iron, and that she went down at her anchors outside. A great deal of the cargo must have been sunk with her, and, of course, all the iron. Surely the value of that portion of the cargo cannot be an element in the calculation in the amount of compensation demanded? The Brazilian Minister says—

> "It appears that the Imperial Government, neither for its own acts nor from the proceedings of the local authorities, ought to be answerable for the disasters occasioned by the shipwreck of the barque *Prince of Wales*; and therefore the demand of the Government of Her Britannic Majesty cannot be entertained. In the first place, for which bodies does his Excellency demand compensation? It cannot certainly be for the four which were taken to the city of Rio Grande, which it was proved that the cause of their deaths had been asphyxia from submersion; nor can it be for the six who were lost, because it is not known to what souls they belonged, nor are there any means of distinguishing them from those who were swallowed by the waves. As to the pilferage of the goods saved, if the demand of the British Government were justifiable, it would appear that the Imperial Government could only be responsible for the species, quantity, and value of the plundered articles; but it does not appear how many and what they were."

Every word of the next paragraph is true, I believe—

> "If this principle be admitted, people will be found to assume the responsibility, not only for the crimes of depredators, but also for the imbecility of captains, and even for the fury of the winds and waves. The Imperial Government will apply a remedy to all these disasters, or the insurance companies will not have a better auxiliary than the coast of Albardao, or than any other desert coast of the empire."

Speaking of the insurance companies reminds me to ask whether the noble Earl can tell us whether Mr. Stephens has received an insurance as large as the £3,200 which the noble Earl has demanded. If that is the case, then Mr. Stephens has made a good thing of the shipwreck. If he has not received it—if the insurers, in consequence of the noble Earl's proceedings, have refused to pay the amount—then it appears that the underwriters alone will be the gainers by his proceedings. I am sorry to say that at this stage of the difficulty, when the noble Earl has made his demand, and long notes have been passed on both sides, there arose another matter to envenom the dispute, and that was the case of the officers of the *Forte*. It appears that the question has changed its aspect, and that it is now *sub judice*, being referred to King Leopold for his decision, not on the points which at first might have been discussed, but as to whether it was a national insult to the British navy. I must say, in passing, that the noble Earl has, I think, entirely mistaken the causes of complaint and the grounds upon which that complaint was made. He might have put it as an outrage or assault upon three British citizens—that would have been all very well—but to ask King Leopold whether an attack upon three gentlemen in plain clothes could be regarded as an insult to the British navy appears to me to be the most extraordinary question I ever heard put. I am quite certain what the answer of King Leopold will be. But, with respect to the transaction itself, I cannot altogether omit it, because it proves the *animus* that pervaded all the officials—minister, admiral, consul, and every one of them. Two officers and the chaplain of the *Forte* had been dining in the country; in coming home, they passed a sentry. For some reason or other they got into a squabble with the sentry, were taken to the guard-house, and remained there that night. I have seen some private letters giving an account of the matter, and might go into detail as to what the officers said to the sentry; but, if I were to translate them into English, I feel the expressions used would not be suited to ears polite — the effect however was to make the sentry very angry. The officers were kept in the guard-house during that night. They were very well treated there. Next day they were taken to the police-station, where they were remanded for the hearing of evidence, and on the third day, when the evidence came, showing who and what they were, they were released. The noble Earl drew a parallel between the coast of Albardao and the coast of Cornwall; allow me to draw an analogy between the present case and what would have occurred if a similar squabble had taken place in Parliament Street. Conceive, for instance, that a Brazilian frigate was lying at Chatham, and three of its officers came up to London to amuse themselves, and having dined very well, they proceed down Parliament Street to the Horse Guards. They go through, see a sentry, and ask him some of those questions I have often heard asked by ragged boys of a sentry—questions of a peculiarly affectionate nature as to the parents of the sentry—whether he felt very cold, &c. Now, however kind these questions may be, they are not well taken—the English sentry tells them to walk on; they do not walk on; the sentry shoves them on, and there would be a squabble. It might last five minutes; in due time the officers on guard would come down. This is just what occurred in the case of the officers of the *Forte.* Great complaint is made that the officer did not make his appearance for ten minutes. I think that is very likely. God forbid that I should say anything to the prejudice of the British army, but I think that under the circumstances it was not likely that the officer would appear in less time than ten minutes. The officer might perhaps have been seated peaceably in his room with his coat off, smoking a cigar; and when aroused by the noise below he would occupy probably some minutes in putting on his harness, and putting out his cigar before he could come down. I confess I do not see any cause of complaint in such a matter. Well, to pursue the analogy still further, supposing the officer did come down, and not knowing the Brazilian language he would naturally turn to the sentry concerned for an explanation as to what it all meant. On ascertaining something of the matter, he would order the Brazilian officers to the guard room. From thence they would be probably taken to the police station, where they would be made to spend the night, and the next morning be introduced to the presiding magistrate at the police office. Explanations would thereupon be demanded, and the Brazilian consul would arrive, and inform the magistrate who and what those gentlemen were. The result would be that the officers would be released and ordered to their ships. This is exactly what happened in the case of these officer of the *Forte.* Yet, this having happened, the Admiral takes on himself to write to the noble Earl and tells him what to do. The first thing demanded is, that the officer commanding this detachment should be dismissed—that was actually demanded at first by the noble Earl; and nothing, in my opinion, could be more unhandsome and unfair. More than this. This very officer, who had given them writing materials and cards to play with, which they asked for, and actually gave them his own bed, was, at their instance, to be cashiered and have his prospects ruined for ever. I am not going further into this question, but I mentioned this to show the *animus* of the Admiral, of Mr. Christie, and of every one of the noble Earl's *employés* in that country. My Lords, I am quite certain that the noble Earl is not in the habit of imitating the language uttered in another place, and which is assumed there by a noble Viscount, who is very fond of resorting to a description of argument which I do not know well how to characterize, but which consists in resting his case upon the old claim, "*Civis Romanus sum.*" Now, of all the foolish misapplications of a dead language of a semi-barbarous country to a living and civilized nation, I never in my life heard of a worse. There is not the slightest analogy between the circumstances of ancient Rome and the present day. Rome had made herself master of the whole known world, from the Grampians to the Atlas, and from the Tagus to the Euphrates, and her citzen had great privileges and immunities. But he is constantly held forth as the prototype of the Englishman, who has nothing in Europe but his own British islands, the island of Heligoland, and the fortress of Gibraltar. The pride of the English citizen should be that he belongs to a nation in the vanguard of civilization—a civilization founded on respect for municipal and international law. But, translated as the noble Viscount translates it, it would appear "*Civis Romanus sum*" means I am an Englishman, and when abroad I mean to do what I like. I am sure, my Lords, that I am not less anxious than the noble Earl to give every proper protection to British subjects and to British interests; but what I complain of is that in these transactions there is a great want of judgment on the part of those concerned in them, and that the noble Earl yields his own judgment to others who do not possess the same power of judgment. The second question, as I stated, has very much envenomed the first. There were now two sets of demands made upon the Court of Brazil. The noble Earl recapitulates all his grievances and insists upon his agents demanding the following compensations:—£3,200 for the property assumed to be plundered at the wreck of the *Prince of Wales;* the dismissal of the officer who arrested the British officers, the punishment of the sentry, and the public reprimand of the head of the police. The noble Earl was very energetic in the first instance, but afterwards he modified his demand. Up to the 4th of November the noble Earl emphatically believed all that he had heard from the fertile imagination of Mr. Vereker, the somewhat acid temper of Mr. Christie, and from the very erratic nature of the Admiral. But since the 4th of November he seems to have thought over the matter again, for he wrote two most excellent despatches to Mr. Christie. Here is one of those excellent despatches—it is very short, but it shows extremely good sense, and is most judicious. The noble Earl says—

> "Her Majesty's Government are very reluctant to proceed to extreme measures against Brazil, except as a last resource, and any proposal on her part for arbitration on the questions at issue may be referred for the consideration of Her Majesty's Government."

Now mark, my Lords—the noble Earl had before insisted on arbitration, not as to principle, but only as to amount. He now modified his demand; and I give him credit for having done so; I only regret he did not do so sooner. The noble Earl seemed so determined to modify his former view that he writes again to Mr. Christie only four days afterwards in these words:—"That the demand will be enforced by reprisals in case no proposal is made by Brazil for arbitration." But—will you believe it—Mr. Christie writes, indeed, to the Minister of Foreign Affairs in Brazil, but never makes the slightest mention that the questions are open to arbitration, totally ignoring the noble Earl's orders, totally ignoring his instruction, totally ignoring the modification of his view. How can I speak of this without indignation? Having in his pocket the means of a reconciliation, he conceals the fact, and the word "arbitration" is never mentioned by him until after the reprisals have been executed. Am I wrong, then, in saying that the noble Earl opposite has been betrayed—that he has been ill-served by his own subordinates? I do not think such an act was ever committed against a Minister since the Foreign Office was established. Nor is that the worst. When Mr. Christie sent in his ultimatum, what did the Brazilian Minister then offer to do? He said, "Let us remove the question from this scene of passion and of anger; let us send it to London; let us refer it to the noble Earl opposite" (in whom he states that he has confidence), "and to M. Moreira to settle between them." And it is certainly remarkable that the noble Earl did not try some such plan before. I am informed, on no less authority than that of M. Moreira himself, that the noble Earl for months—for more than a year—had no communication with him personally on this subject. I am quite convinced, that if he had met M. Moreira in his own room to consider the difference, the whole matter would have been settled, and a rupture avoided between two friendly countries. Is it creditable that Mr. Christie, with that permission, or I may say with that instruction, in his pocket should, when M. d'Abrantes offered to refer the case to London, have refused any such reference and never have given a hint, that if arbitration were proposed, it would be entertained? My Lords, I suppose it is from a high feeling of honour, which I can respect, that the noble Earl has spared Mr. Christie on this point —if it be so, I certainly respect the motive that actuated him—but that does not excuse the noble Earl before the country. On the 29th of December, Mr. Christie having sent in his ultimatum, the reprisals took place;—and how were they carried out? Unfortunately, again the noble Earl positively left it to Mr. Christie and the Admiral to choose the best means of executing them. Why, if ever a Minister ought to have stood by his own responsibility, it was at such a grave moment as that. He should have described when, where, and how those reprisals should be carried out, instead of leaving them to the discretion of two men, excited by all that had taken place, whose conduct has in its consequences driven the Brazilian Minister from the British Court. My Lords, our ships of war were sent out from the harbour of Rio, and for six days, Mr. Christie says, that harbour was virtually blockaded —an act of war. And what a magnificent spectacle was witnessed when our great men of war came in, towing after them into the harbour of Rio six miserable Brazilian merchantmen! Talk of the humiliation of the Brazilians! It was the English residents at Rio who must have been humiliated by seeing the navy of their country prostituted in the perpetration of an injustice. I know I may be asked what I would have done under the circumstances, and I do not hesitate to answer that question. I should say that in the first place it was imperative on the noble Earl to remove the dispute from Brazil to England;

secondly, referring to the protocol agreed upon at Paris in 1856—for which the noble Earl sitting above (the Earl of Clarendon) ought to have eternal credit—referring to and acting upon that protocol, he ought to have settled the question by mediation or arbitration. Why, it was the Government of which the noble Earl opposite himself was a Member, which proposed the civilized policy embodied in that protocol; and when it was assented to by all the nations then in congress, Brazil was invited to adhere to it. We invited Brazil to adhere to that protocol, and she did adhere to it. Yet, in five or six years afterwards, you ignore the protocol, and have never made any use of it. Well, then, thirdly, as to the manner of the reprisals. For the sake of argument, I grant that the noble Earl was justified in making them. Reprisals are a most serious thing; for, mark you, they can only be practically made by a strong country against a weak one. That is a very great objection to reprisals. If they are made by a strong country against one as strong, or nearly as strong, that is war—there must be war, because they will not be suffered. But, if reprisals were to be made, why did the noble Earl not make them in the least offensive, and not in the most offensive form? With the hundreds of Brazilian ships in our harbours, was it not easy for the noble Earl to have quietly sent half a dozen policemen to lay an embargo upon some of them. That would have been no insult to the Brazilian people; it would have equally been an assertion of international law and right, and equally a lesson to the Brazilian Government. Why, instead of doing that, did the noble Earl leave his *employés*, acting on their own judgments, to adopt the most offensive way possible of carrying out the most offensive policy which one country can pursue towards another? Well, this having taken place, M. Moreira —a diplomatist who has lived long in this country, and whose high character and moderate disposition are well known— received orders from his Government to ask an expression of regret from the noble Earl as to the manner in which the reprisals had been carried out. My Lords, I think that a great nation like this might have afforded, through the noble Earl opposite, to express that regret as to the manner as well as the necessity of that proceeding. It was only the other day that I was much struck by the impressive language used by the noble Earl as to the reparation of acts of injustice. He said that "the second honour of a nation is the reparation of an injustice;" and I think he could not have illustrated his own words and sentiments better than by saying to the Brazilian Minister, when he came to him, that he did regret, not only the act itself, but the way in which that act was performed. So far, however, from that, in his last instructions, which we saw yesterday, the noble Earl defends what was done, and even goes a great deal further, because he says the sole object of the reprisals was to obtain some security for the lives and property of Her Majesty's subjects who may have the misfortune to be shipwrecked on the coast of Brazil, and to insure due respect to the persons of Her Majesty's naval officers in that country. Why, that last point was still *sub judice*, and reparation was not surely asked for that. I shall not, my Lords, be lured into discussing the quite new question contained in the noble Earl's last despatch. It appears, however, that the noble Earl has some misgiving that he has exacted hard measure from the Brazilian Government, and that the acts of that Government do not entirely justify the course he has pursued. He therefore goes, in an *ex post facto* manner, into a quantity of old grievances which he seems to have had against the Brazilian Government. These are matters of which we have not heard before; but they are now heaped like hot coals on the heads of the unfortunate Brazilians, to justify the noble Earl's acts, which cannot otherwise be justified. I will not for a moment believe what has been said by speakers in another place and by some of the newspapers, that the noble Earl has two measures—one for the weak and another for the strong. But assuming that he has only one measure, observe the danger we are in. If the policy of the noble Earl, as now exercised by some of his subordinates, were carried out on the coast of some powerful country, and suppose that one of our vessels were wrecked on the coast of a distant colony of France or Russia, if Mr. Christie, Mr. Vereker, and Admiral Warren were on the coast of Russia or France, what in that case would have happened? Why, inevitably there would have been war. We should now have had the cannon thundering at both ends of the Channel. If, therefore, the noble Earl has but one measure for all, see the risk we run of being brought into collision any day with some great Power. I think, then, that the noble Earl has made a great mistake. He has not paid that attention from the beginning that he ought to have paid to this subject. He has allowed his subordinates to supersede his own individual judgment and thereby to betray him. He has not examined sufficiently into what is the state of international law, nor studied how it might be applied in the least offensive manner. He may have intended to exact reparation, and to give a lesson to a recusant Government, but he has insulted, exasperated, and alienated an innocent and friendly people. The noble Earl concluded by moving an humble Address to Her Majesty for—

"Copies of any Papers showing on what Ground the reduced Demand for Compensation from the Government of Brazil was assessed at the Sum of £3,200; and also to move for, a Copy of the Despatch alluded to by Mr. Christie as having been written to the Brazilian Minister for Foreign Affairs on the Wreck of the *Prince of Wales,* and not published in the Brazilian Papers."

EARL RUSSELL: My Lords, I think it must be allowed by your Lordships that it is part of the general law of nations, and that it is part of the municipal law of almost every civilized nation, that the persons and property of foreign subjects shall be respected in the other country. This is the only principle upon which the proceedings of Her Majesty's Government have been founded. We have not thought it right to connive at the plunder and suspected murder of British subjects without seeking of a foreign government all the reparation in their power. This has been the principle on which we have proceeded; the facts I will presently state to the House; but I must say that I do hope that the commercial importance of Brazil is not put forward as a reason for not seeking a remedy for a grievance when we have a grievance against that Government. I am ready to admit that it is a serious matter to make any demands on Brazil with which she may hesitate to comply: I am quite ready to admit that it is desirable we should be on most friendly terms with Brazil;—but I cannot admit that any desire to be on friendly terms with Brazil, on account of her commercial importance, should make us blind or indifferent to the wrongs of British subjects when a strong and satisfactory case is made out. I do not say that the noble Earl, but some organs of public opinion, seem to maintain that the lives of a few sailors signify nothing, when we consider the millions of property involved in the trade with Brazil. I cannot argue this question upon that foundation. I must argue it upon the foundation upon which we have always acted in this country—that if any wrong has been committed, we should first ask in temperate terms for a remedy for that wrong; but if that wrong does not receive a remedy, then we must proceed to some measure of force. Now, I find in looking at the proceedings which have taken place for some years past, that there have been, from 1831 to the present time, twenty-one cases in which France has adopted coercive measures in order to obtain redress; twenty-two cases in which Great Britian has adopted coercive measures in order to obtain redress; and twenty-three cases in which the United States have adopted similar measures for that purpose. This shows at least that in the case of these great maritime countries measures of a coercive nature are sometimes used if they cannot obtain redress without them. What are the facts with regard to this particular matter of the wreck of the *Prince of Wales?* Mr. Vereker, our Consul, heard at his residence that there had been a shipwreck of a British vessel on the coast of Albardao. The noble Earl disputes the authority of Mr. Consul Vereker, on the ground that at a later period his mind became unsettled. Now, that is certainly quite true; but at that time, when this shipwreck took place, I must say with regard to the observations of Mr. Consul Vereker, that there is nothing which indicates other than the mind of a calm and sensible man, and I see nothing at all to justify the supposition that his mind was at all unsettled at that period. Mr. Consul Vereker proceeds to the place—a journey of some difficulty, eighty or ninety miles distance—in order to obtain the information. The noble Earl treats with some pleasantry his going to the house of a justice of the peace in order to investigate this case. I own that it does not appear to me to be a matter for pleasantry. I think, when an English Consul, an officer of Her Majesty's Government, hearing of a shipwreck goes to ascertain the facts of the case, and whether there has been any wrong suffered, it is not a matter of pleasantry, but a matter of commendation, and I am glad the British officer so well performed his duty. Well, he goes to the house of a justice of the peace, and he proceeds the next morning early to the coast. He finds there a portion of the wreck and two boats of the ship with the oars in them. He finds also that there are many chests on shore, and that the insides of those chests do not appear to have been wet; but they were all empty, the contents having been taken out of them. He asks where were the bodies of the sailors, and for an inquest upon those bodies. Now, who is the person with him? The noble Earl has represented that Mr. Consul Vereker had taken a party of armed men with him, and gone there relying upon this force; but the person with him was the commercial judge of the district, the proper person to examine into such transactions. Therefore, it was not upon his own authority that he was acting—he was acting with the authority of this commercial judge, and he asked that commercial judge to institute an inquest. What could be more proper? The wreck took place on the 9th; he was there on the 16th. The bodies of the men would have been found on the shore or near the shore if there had been no foul play, and the natural answer would have been that an inquest should be immediately held. But such was not the answer. The commercial judge said he could not institute an inquest. Mr. Vereker supposes it is on account of the presence of a certain Senhor Silveira, who is the inspector of the district, who was there with a larger body of armed men than the commercial judge had with him. Mr. Vereker may be wrong in attributing that as a reason why the commercial judge refused to comply; but it was a natural supposition, and, at all events, Mr. Vereker was quite right in demanding an inquest, and regarding it as a suspicious circumstance when the inquest was refused. Well, what does he do then? He goes back to his usual place of residence. Some time after a ship of war — a gunboat — is sent. The noble Earl seems to think that that was a great mistake; but, considering the state of that district — that it was a wild part of the country—I think he was quite right in asking for the protection of a British gunboat, and the officer in command, in order to give greater effect to the proceeding. Well, about that time a judicial inquiry is held. The noble Earl speaks as if all the bodies of the crew of the ship had been brought before that inquest. The truth is, there were four bodies produced, and the noble Earl entirely suppresses the fact that there were six other bodies, including one woman, not accounted for.

THE EARL OF MALMESBURY: The noble Earl could not have heard me, for I distinctly said that the four bodies were found at some distance from the beach, and the others were not found, in consequence of the sands.

EARL RUSSELL: With regard to these four bodies, although they were a good deal injured, it was the opinion that they had died from drowning. With regard to the other six, the noble Earl says they were lost in the sands. I think it requires an immense amount of credulity to give any credence to so frivolous a pretext. Mr. Christie and Admiral Warren support Mr. Vereker in his judgment that it was a mere frivolous pretext, and that the Brazilians did not choose to produce the bodies for fear of the tale which those bodies would tell; and that is the natural inference which Her Majesty's Government draw from the pretence as to not finding the bodies. Some time afterwards, when Mr. Vereker was proceeding along the coast, he found that the inhabitants of all the houses denied that they had ever heard of any wreck, or that they knew what had become of the persons who had perished. The noble Earl may believe that, but I do not; and Mr. Vereker had this reason for not believing it—that he heard a boy who came into the house of Senhor Silveira say something about a corpse. They inquired of the boy what it was, and he said it was the last of the bodies which had been found, and which orders were being given to bury. It was quite clear, therefore, that those persons who pretended never to have heard of the wreck were endeavouring to conceal the truth, and that they knew perfectly well what had happened. In the house of this magistrate, as the noble Earl calls him, was found a portion of the plundered property, and there was every reason to believe that he was at the head of the gang of plunderers who had plundered this British ship, and that this Senhor Silveira, who was his son-in-law, and all the rest of them, were employed in concealing the facts. That there should be such persons on a wild coast is not what I complained of to the Brazilian Government, nor did I say that they should at once have brought this coast into a state of civilization. What I did complain of was that they were themselves accomplices in concealing these facts, that they did not order a vigilant and effective inquiry, and that they left this man, who as magistrate would be the chief authority of the district, in the same position in which he was before, and that they never attempted to remedy the state of things which existed there. As to the excuse which the noble Earl makes, that it was a wild uncivilized part of the country, I say that a foreign Government must take one course or the other—they must either be ready to investigate any crime which is committed in that part of the country, or they must say that the district is entirely uncivilized, that they have no authority in it, and that foreign officers, such as captains of ships, must take such measures as they think necessary to obtain redress. I cannot conceive any third course. But the Brazilian Government, at the same time that they pretended to have authority in this district, did everything they could to prevent justice being done. The owner of this British ship, I think, had a just cause of complaint against them. He had sent out a ship on a commercial venture, with a captain whom he could trust, and a crew of seven or eight men. He finds that the captain and his wife and the crew are dead, and that the cargo is plundered; he makes his complaint to the British Government, and I think he has a right to claim from the British Government that they should protect his property, and that they should procure a searching investigation into the deaths of the captain and his crew, and to obtain for him redress. Under these circumstances we were bound to make some inquiry, and indeed to insist that some searching inquiry should be made in Brazil, or to confess that the British Government had no power to obtain redress for a grievous wrong. We could not, with any sense of what is due to the lives and property of British subjects, allow this matter to remain uninvestigated. The noble Earl says that I demanded this redress in an imperious tone; and as this is one of his four charges, I must request permission to read the terms in which I first asked for redress. On the 6th September 1861—this offence having been committed in June 1861—I wrote to Mr. Baillie thus—

> "Should you not have done so already before the receipt of this despatch, you will lose no time in calling the serious attention of the Brazilian Government to this case, and you will request that a strict inquiry may be instituted into the circumstances, and that the parties convicted of such culpable negligence may be suitably punished, and that those who may be convicted of outrage upon the survivors from the wreck may be brought to justice."

Surely there is nothing imperious in the tone of that despatch. Then, again, on February 8 I say—

> "I cannot consider the explanations which have been given by the Brazilian authorities in this matter as being satisfactory, and I concur in the opinion which Mr. Vereker has expressed as to the culpability of the authorities of the district, and as to the insufficiency of the inquiry instituted, considering the serious nature of the case. Under these circumstances, I have to refer you to the instructions conveyed in my despatch of the 6th of September last, and to desire you to state to the Brazilian Government that Her Majesty's Government expect that a more searching investigation shall be instituted, with a view to the punishment of the parties actually concerned in the outrage, and of the local authorities who may be convicted of negligence in dealing with the case, as also with a view to adequate compensation to the owners of the vessel, whose property, by the admission of the Brazilian authorities themselves, has been plundered or wantonly destroyed, and to the surviving relatives of those who may be proved to have been murdered."

There was a great authority in the India Office who used to say that the style of the Company's despatches was "humdrum"—and I must say I do not think the style in which I wrote here rises above the "humdrum." I confess I did think, that having tried every sort of evasion for more than twelve months, the Brazilian Government ought to make some compensation. The noble Earl says I left the case entirely in the hands of subordinates—that I left the demand to be framed by Mr. Christie, Mr. Baillie, and Mr. Vereker. The duty of these gentlemen was to inform me of the facts, and it was upon their statement of facts, and not upon any proposals of Mr. Christie or Admiral Warren, that I framed my demand. It was not in Admiral Warren's department to make any proposals as to the request which was to be made. When I thought there was a demand to be made, I made it, quite irrespective of the opinions of Mr. Christie or Admiral Warren. I cannot agree with the noble Earl as to the manner in which Mr. Christie acted. Mr. Christie acted in entire conformity with the instructions which I gave him. I think he argued the question with great temper and ability; and it was not until I instructed him to make a positive demand for reparation that that demand was made. The noble Earl goes on to complain that I told the Brazilian Government, that if reparation were not given, the whole question would be put into the hands of Admiral Warren, without waiting to see whether the Brazilian Government would consent to an arbitration. I never I told Mr. Christie to offer an arbitration.

I told him, in a despatch of the 8th October, that further orders would be given. Further orders were given on the 4th November, and I then said that if the Brazilian Government should propose an arbitration, Her Majesty's Government would be quite ready to consent to one. Mr. Christie was not told to make an offer of arbitration, because I did not think that it lay with Her Majesty's Government to make it. If we had made such an offer, the Brazilian Government might have said, in its evasive way, "This shows that you are not confident of your case," and they would have tried some further delays; but what I said was, that if the Brazilian Government thought they had a case sufficient to refuse reparation, and proposed an arbitration, we should consent to it. In that respect I think we showed a readiness to treat the Brazilian Government with the utmost fairness. But the Brazilian Government did not make any such offer, and it was not until the end of December 1862 that measures of coercion were employed. The noble Earl finds fault with the manner in which the reprisals were made, and he draws a distinction which I cannot find has been drawn by any writer on the subject. What was done was this:—Admiral Warren sent his vessels six miles from the port of Rio Janeiro. He did not execute reprisals in the port. On this point I imagine that the doctrine laid down by Martens is the true one. He says—

> "The kind of reprisals most common is the seizure of the persons or the goods which are found, whether on our own territory, whether on the high seas, whether on the territory of the Power against whom this mode of redress is used."

In fact, Admiral Warren executed the reprisals in the manner calculated least to injure Brazilian commerce, and least to disturb pacific relations. If Admiral Warren had sent out his vessels some 200 or 300 miles, it is evident that there must have been a great disturbance of commerce, and until you took the ships back, it would be most uncertain how the fact of reprisal would have been dealt with. As it was, there could be no question of resistance, and no question of collision, but within six days the whole affair was settled. I will not follow the noble Earl into the question of the *Forte*, which has been referred to arbitration; but I may observe that it was not until the reprisals had been commenced that the Brazilian Government consented to that arbitration. I do not think it is becoming in any Member of this House, when such a Sovereign as the King of the Belgians has undertaken the arbitration—when the Brazilian Government on its part, and the English Government on its part, has laid the matter before the King of the Belgians for arbitration—to make an attack on the British case, to try and diminish the value of our case, and show himself so nervously apprehensive as the noble Earl seems to be, that the King of the Belgians, weighing fairly all the circumstances, may give a decision in favour of the British navy. I am quite satisfied, without saying a word on our part in addition to what has already been said, to leave to the judgment of an enlightened and impartial Sovereign, like the King of the Belgians, the point in dispute between the two Governments. The noble Earl says that on the whole question we have exercised an extreme degree of pressure on Brazil, and he speaks as if we had done something quite unusual in demanding redress immediately. I have already mentioned, at the commencement of my address, that Great Britain, France, and the United States have in more than sixty cases demanded redress under circumstances such as those in which we have been called upon to act. Lord Aberdeen was not a lover of war, nor an intemperate Minister; he weighed calmly the cases that came before him; but in the case of the proceedings of Rosas at Montevideo, which, doing great injury to European commerce, he, in conjunction with the French Government, sent an order that these proceedings should be put an end to; and the English Admiral, in conjunction with the French Admiral, took possession of the whole of the fleet which was acting under Rosas. This is one instance—and it is the only instance I shall quote. As to these South American affairs, it is often necessary to have recourse to force to protect your commerce and obtain justice. The noble Earl speaks of the proceedings of the Brazilian Government as if it were the model Government of the continent of America. It is true that Brazil, having wisely, as I think, chosen a monarchy for its form of Government, has not, like the South American Republics, been the prize of different military chiefs, who have successfully fought for the supremacy; and therefore the Brazilian Government has been far superior to most of the South American Republics. But it is very far indeed from being a model of justice in its tribunals, or of freedom from corruption in its administration. It requires, no less than other Governments, to be under the control of opinion. The noble Earl says that the "*Civis Romanus sum*" position is a very disputable one—that the doctrine is not applicable to us, for we are not in the same position as the Romans. I have no ambition to set up the Roman example—but certainly a great man said, without using a Latin phrase, but adopting plain English, that he was determined to make the name of an Englishman be as much respected as ever that of a Roman had been. He was a true Englishman. During his rule the name of England was respected; and no one can to this day mention the name of Oliver Cromwell, without coupling with it a tribute of respect for the manner in which he upheld the name of England. It is not a thing to be ashamed of, that we should wish to see the British name respected; and where the life or property of a British subject is in question, we think it a duty to interfere. The noble Earl said, that if these reprisals had been made against a great Power, they would have cost us a war; but may not there be something in this—that weak Powers, having confidence that their weakness will save them from the consequences of their acts, may be disposed to do things which a strong Power would never think of? For instance, with regard to the taking of two persons out of a British packet, which occurred last year, the American Government, conscious in its own strength, and conscious in its sense of justice, had no hesitation in yielding at once to our request, that those two Commissioners should be delivered up. Conscious of its own strength, it knew that it might do justice to our demands without the least humiliation. Why did not the Brazilian Government act in that way? Is the Brazilian Government to suppose, that because she is a weak Power, she is to be allowed to wink at the murder of British seamen and to conceal the fact that those four men and two women were actually murdered? Does Brazil think, that because she is weak, impunity for such acts can be allowed to her? No; whatever taunts may be thrown out, and whatever may be said on demands of this nature, we, when a wrong is done, must, without regard to the wrong-doing Power being strong or weak, demand redress; and by demanding redress, depend upon it, we shall insure the protection of our commerce in all parts of the world. I was told the other day by the captain of the *Madagascar*, who has recently returned from the waters of Brazil, that not only was it the general impression in Brazil that those sailors were murdered, but that, a wreck having occurred the other day at nearly the same spot on the wild and unfrequented coast which the noble Earl described, the authorities immediately took active measures, and made every exertion to recover the property from the wreck, and the whole of the crew were saved. This, it may be presumed, followed from the just assertion of our rights. My Lords, as long as I remain at the Foreign Office, while ready to make request after request and to urge remonstrance after remonstrance, I cannot suffer flagrant acts of the kind to be committed on British life and property without demanding redress. One of the papers asked for by the noble Earl I can produce at once. The other is a despatch written while Mr. Baillie was *Chargé d'Affaires*, and I find that it is not in the Foreign Office. It is for the noble Earl, therefore, to say whether he will ask for it. If he does, we shall procure and lay it on the table as soon as possible. My Lords, I cannot help thinking, that if the Brazilian Government had acted in this matter in the same spirit and temper as the British Government have done, it would before this have been settled, as I hope it will be settled. I shall be glad to see M. Moreira again in this country—a gentleman with whom I have always been happy to hold communication; and I can assure your Lordships that no one will be more gratified than myself at the renewal of diplomatic relations between the two countries.

LORD CHELMSFORD: My Lords, the subject before us is of such great importance that I will not apologize to your Lordships for detaining you for a short time. The interruptions of friendly relations with Brazil is a matter likely to be so very prejudicial to the commercial interests of this country, that it is the duty of Her Majesty's Government to take care that the House and the country should be fully informed of all the circumstances that have led to this unfortunate result. I regret to say that the perusal of these papers has left on my mind a painful conviction that the unhappy differences that have arisen are attributable, mainly, if not entirely, to the conduct of our diplomatic agents in the Brazils; that that conduct has been approved and sanctioned by the noble Earl; that the treatment of Brazil from the beginning to the end has been in the highest degree harsh, overbearing, and unjust, and that we have made a most ungenerous use of our superior power against a State which is comparatively weak, and unable to offer any opposition except a moral resistance. In support of this opinion I will ask your Lordships to consider two questions: first, whether it was a case that justified reprisals at all; and if it did, secondly, whether the mode in which that right has been exercised was just and proper. In entering on the first question, I think that it will be convenient that I should, in addition to extracts from those writers upon international law who have been already referred to, give a few others in order that your Lordships may perfectly understand the principles of law with regard to the making of reprisals. The first authority, quoted by my noble Friend—Vattel—says—

> "Reprisals are used between nation and nation, in order to do themselves justice when they cannot otherwise obtain it. If a nation has taken possession of what belongs to another, if she refuses to pay a debt, to repair an injury, or to give adequate satisfaction for it, the latter may seize something belonging to the former, and apply it to her own advantage till she obtains payment of what is due to her, together with interest and damages, or keep it as a pledge till she has received ample satisfaction."

I cite the authority of the next writer, the Queen's Advocate, because I take it for granted that the noble Earl has sought the advice of my learned Friend in the course of these proceedings. The Queen's Advocate said—

> "Letters of reprisals are not to be granted without a full knowledge of the causes which justify them. Moreover, it must be *res minime dubia*, in which justice has been denied, and it must have been absolutely denied by all the tribunals of the country before which the cause could be brought, and also by the Sovereign in the last resort."

And the Queen's Advocate quotes in a note a letter from the Duke of Newcastle to the King of Prussia in 1753, in which he says—

> "The law of nations, founded upon practice, equity, convenience, and the reason of the thing, and confirmed by long usage, does not allow of reprisals except in cases of violent injuries directed or supported by the State, and justice absolutely denied by all the tribunals, and afterwards by the Prince."

In another passage Vattel writes—

> "The Sovereign who refuses to cause reparation to be made for the damage done by his subject, or to punish the offender, or finally to deliver him up, renders himself, in some measure, an accomplice in the injury. But if he deliver up either the property of the offender as an indemnification in cases that will admit of pecuniary compensation, or his person, in order that he may suffer the punishment due to his crime, the offended party has no further demand upon him."

Now, the explanation which my hon. and learned Friend the Solicitor General gave was this:—If the Sovereign does any of these things—that is, if he executes justice to the utmost of his power, either by paying a pecuniary compensation, or if that cannot be done by the executing punishment on the offender—it is enough. Now, I hope your Lordships will bear these principles in mind in considering the first question to which I desire to draw your Lordships' attention. I do not propose to do more than to consider the circumstances of the wreck of the *Prince of Wales*. I think my noble Friend (the Earl of Malmesbury) who introduced this discussion was perfectly right in considering the case of the insulted officers, because the noble Earl's demand of reprisals extended to that supposed injury; but inasmuch as that case is *sub judice*, I am willing to waive the discussion as to that part of the case. The wreck of the *Prince of Wales* occurred on the 8th or 9th of June 1861—the noble Earl says the 9th, which is rather more to the advantage of the local authorities. It took place on a wild inhospitable coast, in the district of Albardao, which is occupied by a scanty population, thinly scattered over a very extended country; and we have heard that the inhabitants of that district, very like the Cornish men of no distant date, are in the habit of flocking to the shore when there is any prospect of plunder, and they remove the spoil they collect on those occasions into the interior. Of course, in such a district as this, it is hardly to be expected that justice should be administered as promptly, as regularly, and as efficiently as in a country where men dwell closer together, and in a more civilized state of society; and there can be no doubt that when the wreck of the *Prince of Wales* took place the inhabitants resorted to their usual practices to a certain extent—to what extent it does not appear—of plundering the property, and that they stripped the bodies of the unfortunate persons which were cast ashore—nay, there may be just ground of suspicion that they did not stop short of the murder of some of them. As the noble Earl, however, has asserted his belief that some of the persons were actually murdered, it is fair to say that of that there was not the slightest proof at the inquest that took place at Rio Grande. Only one of the four bodies examined exhibited marks of violence; and with regard to that body Consul Vereker, who was not a very lenient judge of these proceedings of the Brazilians, stated himself that the man did not come to his death by the hands of another person. The noble Earl has stated that he believes that six persons—four men and two women—were murdered. Now, does the noble Earl believe this upon the evidence of the captain of a vessel called the *Hound*, or does he not? The noble Earl has not noticed the supposed evidence of the captain of the *Hound*, who, according to Mr. Stephens, had seen several persons land alive, these being afterwards, it is said, murdered in the woods. The noble Earl did not advert to this evidence at all on the present occasion, and I am bound to think that the noble Earl does not give the slightest credit to the statement, because, if he did, what in that case would have been the duty of the noble Earl? It would have been to have instituted an investigation into the evidence. There being no proof whatever that murder had been committed, the noble Earl had no right to assume it as part of the case of the British Government. Well, it was the duty of the inspector of police, the moment he had intelligence of the wreck, to hasten to the spot for the purpose of protecting the property. When he received intelligence of the wreck does not appear, but he was there on the spot on the 11th of June, and with a small force of five men, for the purpose of protecting the property. The complaint is made against the inspector, that it was his duty, when he knew that the vessel was British property, to have communicated the fact of the wreck to the British Consul at Rio Grande; but the utmost that that could amount to was a failure of duty on the part of the inspector. The consequence of his misconduct is that the Brazilian Government has dismissed him from his office. Mr. Consul Vereker was informed of the wreck in a conversation that he had with Soarez on the 13th of June, and on the 16th he went to the place of the wreck. Consul Vereker, who chose to suspect all the Brazilian authorities of a failure of duty and a connivance at the offences that had been committed, insinuates that the inspector, when he came to the spot on the 11th, had utterly disregarded his duty of protecting the property, and that a number of barrels and crates had been broken open. Mr. Consul Vereker had not the slightest proof of that charge. He makes a similar charge against the sub-delegate of police, whose duty it was to collect the goods for the custom-house, and he says that by this person's orders many cases were broken open; but he admits that he cannot prove the allegation. Now, your Lordships are entitled in justice and fairness to assume that the work of plunder had been done between the 8th and the 11th, when the inspector came to the spot. There was ample time for the plunder to have been carried away into the interior, according to the practice of the inhabitants of the district. Why do I say this? Because it appears that Consul Vereker came with the municipal judge, who it is admitted discharged his duty faithfully. They searched the district, the municipal judge going one way, and Consul Vereker the other; and they found no property of any kind, only two Bibles and the Commentary in the house of Soarez. Consul Vereker says he strongly suspects that the property had been conveyed into the thicket near the house. But why does Consul Vereker say that, when he could have ascertained whether his suspicions were well founded by searching the wood, as there could not be more danger in doing that than in searching the houses? Certainly, my Lords, it seems to me that the property having been all conveyed away is a circumstance not unimportant in considering the conduct of the noble Earl and the Brazilian Government. Now, let the House consider what, under the circumstances, could have been done, had the most prompt and vigorous measures been adopted. All that could have been done was the restitution of any part of the property that might have been found in the possession of those who were suspected of having stolen it, and the conviction and punishment of those offenders. I hold that consideration to be most important, because I find scattered through the papers complaints that in consequence of the delays of the Brazilian Government in pursuing and prosecuting the offenders a great deal of the property had been entirely lost. Now, I was in hopes that the noble Earl would have been kind enough to have told us, in support of what he called his moderate and reasonable demands on the Brazilian Government, what was the nature of the cargo, in order that we might judge how much of it was likely to come to land and to fall to the plunderers. The noble Earl has stated that part of the cargo consisted of iron; but besides that I am informed there were kegs of nails, coals, iron fastenings, tierces and barrels of beer, and barrels of soda; so that your Lordships may pretty well imagine how much of a cargo of that description was likely to be swallowed up by the waves, and how small a portion of it would reach the land. I observe that Consul Vereker, when he came to the spot on the 16th, found many crates and barrels that had been broken by the waves, and yet the noble Earl's moderate and reasonable demand amounted to the restitution to the owner of the entire value of the cargo. It is important to follow the action of the Brazilian Government and the local authorities in the matter. Let us see what was the first application that was made by Consul Vereker for the interference of the local authorities. He applied, when he returned to Rio Grande on the 18th June, to the chief of the police, to remove the bodies to Rio Grande, in order that they should be interred in the cemetery there, and that an inquest should be held to ascertain whether the deaths had been occasioned by the violence of other persons. He admitted that his request was promptly complied with. He says the chief of the police was an honourable man, and was anxious to perform his duty. Now, my Lords, it is true that four bodies only were carried into Rio, and Consul Vereker treated it as a ridiculous allegation that the rest of the bodies could not be found in consequence of the shifting of the sand. It is all very well for Consul Vereker to treat everything said in favour of the authorities in this off-hand manner, but you must remember that he has admitted that the person under whose orders the bodies had been removed was an honourable man, anxious to perform his duty, and there was no reason to believe that he was desirous of concealing any body. I, like my noble Friend, cannot possibly conceive on what ground it was that the noble Earl insisted, under these circumstances, on the Brazilian Government paying the expenses of the conveyance of the bodies to Rio for the inquest and for interment in the cemetery. But it must be satisfactory to the nation to think that the firm manner of the Foreign Minister had secured that sum of £32 1*s*. 1*d*., being the amount of the expenses incurred. Whether, if it had been refused, the noble Earl would have resorted to reprisals must, of course, be left a blank in history. What is the next application? It is on the 10th of July, before the inquest had taken place, and was made to the President of the province. It is not insinuated, from the beginning to the end of these papers, that the Presidents were not all of them honourable men, and most anxious to do their duty in this matter, having no desire whatever to screen anybody. The application having been made, what does the President do? He immediately gives orders to the chief of the police, and tells him to proceed with the utmost rigour against any person or persons suspected of plundering the wreck, and to institute a strict inquiry into the alleged murders. That is on the 20th of June; and on the 11th of July the President reiterated those instructions to the chief of the police. Now, let us pause for a moment to see the situation of things at the time when the active measures of the Secretary for Foreign Affairs were begun against the Brazilian Government. There had been no delay, no neglect of duty; but in the month of September Mr. Stephens, the owner of the vessel, interferes. Now, the noble Earl the Secretary for Foreign Affairs has styled Mr. Stephens a thorough Briton. If strong, not to say intemperate language, if vehement assertion of exorbitant demands entitle a person to that distinction, then Mr. Stephens may claim it. Mr. Stephens, on the 22nd September, wrote to the Foreign Office that the time had arrived when the Brazilian Government ought to give him "retribution," and he claimed from them £5,500 for the cargo and stores; but he forgot the freight. He, however, supplied the omission three days afterwards, when he claimed £1,025 for the freight. The noble Earl does not seem to have paid immediate attention to this demand; and accordingly Mr. Stephens wrote another letter on the 19th of October to the Foreign Office, in which he urged his claim not only to the value of the cargo and stores, but to an additional sum on account of the persons murdered, and called upon the noble Earl, if the claim were not immediately settled, to take active measures against Brazil, so that he might no longer be humbugged. My Lords, no doubt your Lordships are prepared for the grave, solemn, and statesmanlike rebuke with which the noble Earl visited Mr. Stephens. Did the noble Earl tell him that this was not the way transactions with Governments, especially with Governments that were not strong, were carried on, and advise him to leave the matter in the hands of the Foreign Office? My Lords, I could hardly believe my eyes when I found, on looking at the date of the despatch, that the noble Earl had actually anticipated the eargerness of Mr. Stephens, as will be seen by the letter of September 6, 1861, in which the noble Earl directs Mr. Baillie to lose no time in calling the attention of the Brazilian Government to the case and to insist upon a strict inquiry. Could anything be more insulting? And your Lordships will find that it was followed up by an energetic measure suggested by the noble Earl. Mr. Baillie is also directed to communicate with the Admiral on the station, as it would be desirable that one of Her Majesty's vessels of war should visit the coast upon which the wreck occurred. The Admiral was communicated with on that occasion by Mr. Baillie, but it appears that Mr. Consul Vereker thought interference at that time would not be beneficial, and therefore the matter was allowed to sleep. I now turn to the proceedings of the local authorities. Consul Vereker remained quiet till the 27th of November, when he requested the President to inform him the result of the application that the inquiry should be proceeded with in the most energetic manner. A few days later the reports of the delegate and sub-delegate were sent to him. These disclosed the difficulties connected with the investigation. When they endeavoured to procure the attendance of the witnesses, some became ill, others left, some escaped, and a general reluctance to come forward manifested itself, a number of the wealthiest persons having been concerned in the plunder. [Earl RUSSELL: Hear, hear!] I give the noble Lord the full benefit of that. Only one person, of the name of Pinto, in the employ of Soarez, had been apprehended. Orders were given to proceed against those persons who refused to appear, to investigate the matter thoroughly, and to bring the parties to justice. It was fair to consider the difficulties which existed in the way of this investigation not through the heated imagination of Consul Vereker or the prejudiced judgment of Mr. Christie. The difficulties arose from the character of the district, and from the desire of the many who participated in the plunder to shelter each other from detection. The first application which was made to the Brazilian Government was by Mr. Baillie, on the 27th of November; and I must say, that in common with my noble Friend I was struck with the fact that it does not form a portion of the papers on your Lordships table—the only reference to it is in the first communication of Mr. Christie of the 17th of March. Now, that Mr. Christie is about to appear for the first time on the scene, I am anxious to point out the menacing attitude he displayed. The noble Earl had armed him with his thunderbolts of war, and it seems that he was not disposed to leave them unlaunched. On the 17th of March he wrote to Senhor d'Abrantes, the Brazilian Minister for Foreign Affairs, and he says—

> "I write under Lord Russell's instructions to the Admiral commanding Her Majesty's naval forces at this station to request him to send one of Her Majesty's vessels to the spot with some experienced officer capable of advising and aiding Mr. Vereker in this afflicting case; and this officer will be ready to co-operate in the investigation, if such co-operation is considered agreeable to the Imperial Government."

What answer did Senor Taquez make to this proposal? He said—

> "As regards the offer made by Mr. Christie in his note to which this is an answer of the co-operation of a naval officer, who will proceed in one of Her Majesty's ships to the place of the shipwreck, in order to assist the consul in this deplorable affair, the undersigned returns thanks to Mr. Christie, but cannot understand what assistance the authorities of the country could receive from a British officer, nor what he could do in furtherance of the ends of justice, and he declines to accept the Minister's offer."

Before this, Captain Saumarez had made his appearance in the neighbourhood. The first act of Mr. Christie was to send off to the Admiral to ask for a gunboat or two, and Captain Saumarez arrived on the 6th of April. And his arrival was announced in a very curious manner. "Captain Saumarez, of Her Majesty's ship *Forte*, 51 guns, has arrived." The number of guns carried was, of course, intended to show what an imposing force would be ready to back the application which had been made. Now, what was the object of sending these gunboats? In a despatch to the noble Earl, Captain Saumarez said—

> "Thinking the presence of one of Her Majesty's vessels thus far in the province would carry greater weight with the President and strengthen the inquiry."

The President said he could not recognise the intervention of Captain Saumarez in any official capacity; but he says, "I am ready to allow him to attend the proceedings as a private person, and to obtain whatever information he can." It was agreed that an inquiry should take place before the chief of police, and that notice should be given to Mr. Vereker; and Mr. Christie, who is always seeking occasion of quarrel, actually made this a ground of complaint against the Brazilian Government, and he demanded an apology for their treatment of Captain Saumarez. Having waited from the 8th of April to the 18th, Captain Saumarez rejoined his vessel, and then complained that he had been treated with indignity, because, during the whole of that time, no notice was given him of the inquiry. The explanation was, that the appearance of the vessels—for there were not merely the gunboats, but there was a large vessel, the *Oberon*, cruising where the water was deep enough—had excited a great deal of feeling on the part of the people, to such an extent that apprehensions were entertained of a resort to violence, and consequently the inquiry had been deferred till the vessels had left. Your Lordships will see that the noble Earl, who says he has exhibited so much patience and forbearance in the transaction, after this renews the expression of his wish that a British officer should be present at the inquiry. At length Consul Vereker, finding that the inquiry was to take place before a sub-delegate instead of the chief, thought it would not be consistent with the dignity of his position to attend such inquiry. He did attend it however; for in a despatch he says—

> "I left the inquiry with the irresistible impression that the proceeding was not undertaken for the purpose of discovering the guilty, but rather to satisfy the British and Brazilian Governments by hushing up, through a mock inquiry, that part of the question which relates to the possible violence offered to all or some of those who had been in the vessel."

I venture to ask your Lordships whether there is the slightest pretence for saying, as the noble Earl asserted in unmeasured terms, that the Brazilian Government endeavoured in every possible way to prevent a fair investigation of this matter? Unless the noble Earl can establish, that after the matter passed from the hands of the local authorities into those of the Brazilian Government, there was a denial of justice on the part of that Government, the noble Earl was not in a position, by the well-known law of reprisals, to demand compensation, and to follow up that demand by reprisals. Your Lordships should bear in mind that we have had the matter investigated under persons of honour, credit, and character—namely, the chief of police, the President of the province (of whom Mr. Christie wrote, "I hear that he is a man of good reputation"), and the Brazilian Minister of Justice. Of the Minister of Justice, on the 5th of May 1862, Mr. Christie wrote—

> "I had an interview with the Minister of Justice, to whose department this question more particularly belongs, and he gave me very strong assurances that everything which can be done in the way of inquiry and punishment shall be done, and I have much confidence in the rectitude of the present Minister of Justice."

What possible interest could the Minister of Justice, in whom Mr. Christie had confidence, have to abstain from the most searching inquiry into all the circumstances connected with the unfortunate affair?—what desire to screen any one of the offenders? And what was the result of the inquiry before that officer? It was the dismissal of two of the officials—the inspector of police and the sub-delegate—the conviction of eleven persons—not, as my noble Friend supposes, the apprehension of those persons, because many of them had escaped across the frontier—and a demand to be made for the extradition of those who had so escaped. This was done by the Minister of Justice, the person in whom Mr. Christie had confidence; and this was the mode in which the noble Earl made out his charge against the Brazilian Government, and on which he founded his right to make reprisals. The noble Earl says his original demand for compensation was modest and forbearing; but in October his peremptory demand was made. I ask your Lordships whether, up to this time, there is any proof whatever that those persons to whom the inquiry was intrusted, and who had this important duty to discharge, failed in any respect in their duty? I apply the question to the chief of police, the President of the province, the Minister of Justice. The noble Earl is not satisfied with the slow pace of justice. He forces it on, and he asks to be allowed to co-operate and assist in the inquiry which was to take place—an interference with the administration of justice in a foreign country—an interference which, as the Brazilian Minister very properly said, would be an insult to the country. The noble Earl also insisted on singling out the persons to be accused. I now come to the case of Soarez, upon whom the noble Earl made some very strong observations. Soarez, he said was "captain of a lawless band of depredators." That is the way in which he is described by the diplomatic agents. Two persons engaged in the plunder were in his employ; and therefore it was urged he was connected with them, and not merely as a sharer of the spoil but as the instigator of the plunder. But let us be just. There is no proof that Soarez was on the spot at the time of the wreck, on the 9th of June. On the 12th he was seventy or eighty miles off, at Rio Grande. The suspicion was that all the other property was conveyed away, so that there was no trace of it but two Bibles and a Commentary found in his house; and it is also stated—though that was not mentioned at the commencement of the proceedings—that two empty cases were found in his yard. But would a Roman Catholic, as Soarez was, have selected two Bibles and a Commentary, the Bibles being English moreover, for his share of the plunder? Besides, if the books were plunder, how easy would it have been to conceal them. But the Bibles were found openly; there was no attempt at concealment whatever. Soarez was examined; and the result was that there was no proof against him. Then what took place? Why, Mr. Vereker, on his part, said, "Unless Soarez is put into gaol or signally disgraced, we can expect no result from this inquiry." I do not suppose that the noble Earl wished, even on a rough magistrate, to inflict such rough punishment as that. Then comes Mr. Christie, who is a little more moderate in his demand than Mr. Vereker. He said, "The Government ought to prove Soarez's innocence or dismiss him." That is rather reversing the order of things at home. But the noble Earl approves of all that is done, and says, "The Brazilian Government ought to put Soarez on his trial." The only objection I have is that the noble Earl should select his own criminal. Senhor d'Abrantes, the Minister, said, "On examination of the plunderers no proof was found against Soarez; how is it possible to put him on his trial, when there is no evidence against him?" Will the noble Earl be good enough to give an answer to that question, instead of merely charging the Brazilian Government with having sought to elude inquiry and prevent the punishment of offenders? Before I go to the claim of the noble Earl for compensation, I should wish to call attention to the tone and style of all the correspondence. It is of a most offensive and insulting character to the Brazilian Government. Even the noble Earl himself has used strong expressions towards the Minister of a weak Power, which I confess I should like to have seen a little diluted. Her Majesty's Government, being annoyed with what they considered the evasive replies of the Brazilian authorities, proceeded to enforce their demands. Now, what are those demands? The first demand for compensation was made on the 8th of October 1862, and the amount claimed was £5,550 for the plunder of goods and stores. There was then a demand made for the freight, amounting to £1,025, with the intimation that it would be subject to the owner producing a certificate of the value of the cargo and stores. Now, the Brazilian authorities, in objecting to those demands, complained of the absence of any valuation of the property in question. I submit that it was the duty of the noble Earl to obtain from Mr. Stephens a full account of the value of the cargo and goods before that claim for compensation was made. It is not, in my opinion, a very dignified proceeding for a great Power like England to make such demands upon a weak one when those demands were unsupported by evidence. I ask the noble Earl whether he took any advice upon the question before he forwarded his claims to the Brazilian Government? Did the noble Earl know that Mr. Stephens lost no freight at all upon which he could claim compensation? Mr. Christie, who had been some years practising at the bar of this country, ought to know better than to act as he has done. When the noble Earl proceeded to seek for reprisals, he ought to have recollected the case of M. Pacifico, where our navy was also instructed to make reprisals. In that case the claim of M. Pacifico amounted to £21,200; but upon an investigation, by arbitrators appointed for the purpose, the amount actually awarded him was only £150. There was another circumstance connected with these claims upon the Brazilian Government which was very ominous. On the 8th October 1862, when the noble Earl wrote to Mr. Christie making the demand of £6,625 on the Brazilian Government, and offering to refer the matter to arbitration, he also sent instructions to the Admiral on the station to make arrangements to prepare for reprisals in case the Brazilian Government declined to entertain these claims. Now, I ask whether this disposition of the noble Earl to proceed to extremities does not show a dangerous desire on his part to proceed hostilely and arbitrarily? In despatches of the 4th and 8th of November it is true that the noble Earl instructed

Mr. Christie to say that the English Government were willing to attend to any reasonable offer to refer all questions to arbitration; but Mr. Christie never communicated those instructions to the Brazilian Government, merely sending in the claim, with the intimation that Her Majesty's Government were ready to accept an offer of arbitration as to the actual amount of compensation. I cannot help feeling that Mr. Christie had reasons for not communicating the terms of the despatches of the 4th and 8th of November, and that he was heated by the communications which had taken place between him and the Brazilian authorities, and was desirous of concealing the offer of arbitration until the very latest moment.

The Marquis d'Abrantes, the Brazilian Minister, refused to acknowledge the responsibility of the Imperial Government; and declared that if force were used to enforce the claims of the British Government, the Brazilian Government would act as circumstances suggested. The claim was subsequently reduced to £3,200. The claim for freight was, of course, abandoned, but it was not clear how the claim came to be further reduced. No answer has been given by the noble Earl to the question of my noble Friend, as to whether Mr. Stephens had received from the underwriters any part of the money to be received for the cargo; and it is still an open question whether the noble Earl had not been fighting this glorious battle on behalf of the underwriters, and whether the greater part of the money recovered will not have to be paid over to them. Now, this is what the noble Earl chooses to style a moderate indemnity and a reasonable demand. I say that the noble Earl has acted in a harsh and oppressive manner, and I agree with my noble Friend that when he found that his diplomatic agents were getting heated by the controversies with the Brazilian authorities, he should have called the case home. If the noble Earl had trusted to his own calm and dispassionate judgment exclusively, the matter, no doubt, would have been settled satisfactorily to all parties. I think I can show your Lordships that this was no case for reprisals. Reprisal is a proceeding extremely hazardous in its character, and very closely bordering upon war. I insist, that in the present case reprisals ought never to have been resorted to, inasmuch as there was no denial of justice on the part of the Brazilian Government. I say that that Government has acted as promptly as they could have done under the difficult circumstances of their position with a view of satisfying the fair demands of this country. But if the right existed, what was the mode adopted to enforce it? The noble Earl has quoted Vattel to show that you may seize the property and persons of an offending State for redress of injuries. No one denied that, but the question was, should not that right be exercised with the prudence and precaution which ought to accompany every act verging so closely upon war? [Lord KINGSDOWN: It is war.] My noble and learned Friend says it is actual war. But in what manner have we proceeded in this matter of reprisals? As was suggested by my noble Friend, an embargo might have been laid on some of the Brazilian vessels in British ports, and all appearance of flagrant hostilities would have been avoided. But it appears that orders were given to the Admiral on the station to be in readiness for resorting to reprisals. Mr. Christie having given the instructions to proceed, the Admiral hastened to the spot with his squadron, and actually blockaded the port of Rio for six days. That certainly is not the mode in which the perilous act of reprisals should be exercised. The noble Earl has had a good deal to do with blockades lately, and nobody knew, or ought to know, better than he that blockades are only put in force in case of actual war. It is also the practice to give notice to the vessels of neutral Powers of the approach of such a measure. No such notice was given on the present occasion. Five Brazilian merchant ships, valued at £13,000, were captured by our squadron. Was such a transaction ever before heard of, where the waters of the offending State were made a sort of pound to keep all vessels confined there until the claims were satisfied? But from the beginning to the end the communications with the Brazilian Government have been made in the most insulting manner. Let me call attention to the unfortunate circumstances resulting from these proceedings. The noble Earl asked whether we were to allow British subjects to be murdered because we were commercially interested in our relations with Brazil? But the noble Earl forgets the utter abscence of proof of those alleged murders. Like Mr. Vereker, the noble Earl is fond of assertion without proof. For a long time this country has carried on a most advantageous commercial intercourse with

Brazil; and we have been upon such friendly terms with Brazil that a jealousy had arisen amongst foreign nations, in the belief that England had been treated by the Brazilian Government with greater favour than any other Power. But this rash movement on the part of the noble Earl has destroyed all the good effects of that intercourse. It is not merely our commercial interest that is concerned, but the character of the nation. Other nations will not look with careless eyes upon these proceedings. They will be apt to contrast our conduct towards the strong and the weak States. They will compare the language used by Her Majesty's Government towards America with that which the noble Earl has used towards Brazil. [Earl Russell: The case of the *Trent* for instance.] Possibly the occasion may be considered to have arisen when the same remonstrances might be addressed to this country as were addressed on an occasion of similar reprisals being resorted to by Russia upon an equally weak Power as that of Brazil, and when it may be said, "It remains to be seen whether Great Britain, abusing the advantages afforded her by her immense maritime superiority, intends henceforth to pursue an isolated policy, without caring for those engagements which bound her; whether she intends to discharge herself from every obligation, as well as from every community of action, and authorize the Great Powers upon every opportunity to recognize towards the weak no other rule but their own will—no other right but their own physical strength."

Lord LYTTELTON said, he had long enjoyed the private friendship of Mr. Christie, and he was sure that he would discharge the duties of any post intrusted to him with honour and fidelity.

The Earl of MALMESBURY said, he only asked for the Correspondence with a view of verifying the facts of the case in question.

Motion *agreed to.*

WAYWARDENS CONTRACTS BILL [H.L.]

A Bill to prevent Waywardens contracting for Works within their own Districts—Was *presented* by The Lord Redesdale, and read 1ª. (No. 148.)

BRITISH COLUMBIA BOUNDARIES BILL [H.L.]

A Bill to define the Boundaries of the Colony of British Columbia, and to continue an Act to provide for the Government of the said Colony—Was *presented* by The Duke of Newcastle, and read 1ª. (No. 149.)

House adjourned at Nine o'clock, to Monday next, half past Eleven o'clock.

HOUSE OF COMMONS,

Friday, June 19, 1863.

MINUTES.]—Select Committee—on Poor Relief, *appointed*, and *nominated.*
Supply—*considered* in Committee*—r.p.
Public Bills — *Second Reading* — Inclosure (No. 2)* [Bill 167].
Committee—Alkali Works Regulation (*Lords*) [Bill 135] — r.p.; Fisheries (Ireland) [Sir Robert Peel]* [Bill 137]—r.p.; Harwich Harbour (*on re-comm.*) [Bill 159]; Removal of Irish Poor [Mr. Villiers]* [Bill 140]; Mutiny (East India) Act Repeal [Bill 166]; Local Government Supplemental (No. 2)* [Bill 165].
Report—Harwich Harbour [Bill 176]; Removal of Irish Poor [Mr. Villiers]* [Bill 140]; Mutiny (East India) Act Repeal [Bill 166]; Local Government Supplemental (No. 2)* [Bill 165].
Third Reading—Militia Pay* [Bill 163]; Charitable Uses* [Bill 164], and severally *passed;* Watchmen in Towns (Ireland) [Bill 102], *negatived.*

ALKALI WORKS REGULATION BILL (*Lords*)—[Bill 135.]

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

On Motion that the Preamble be postponed,

Mr. H. A. BRUCE said, that as the second reading of the Bill had been taken without discussion, he wished to make a few remarks in explanation of its object and leading provisions. The Bill had come down from the House of Lords, where it had been introduced upon the recommendation of a Select Committee of that House, which had examined witnesses, and found that great injury was occasioned by the noxious vapours which arose not only from alkali works, but from certain other manufactures. They also found that in the neighbourhood of St. Helen's and other towns trees and vegetation were injured and occasionally destroyed, that residences were rendered uninhabitable, that cattle suffered so that the quality of their milk was affected, and they cast their young. One gentleman, who had himself been a manufacturer, stated that his own health had suffered from a residence near these works. The leading manufacturers had exerted themselves to neutralize the bad effects produced by the emission of noxious vapours. Some years ago means were discovered of condensing the gas from alkali works. Those means were adopted by the principal manufacturers, but not by all, because the process was rather expensive, and only one-third of the muriatic acid which was produced could be advantageously disposed of. The only check on the mischief done by these works had hitherto been either by an action for damages brought by persons on the ground of injury done to them, or else by indictment. In the case of an action for damages, it was necessary to prove that the injury done was by some particular work. In the infancy of the manufacture it was not difficult to furnish proof of this kind, because the works were not congregated in one neighbourhood, and the chimneys were lower than at present. In the course of time, however, the works increased in the same district, higher chimneys were constructed, and the smoke was dispersed over a wider area. It therefore became difficult to trace the injury to any particular establishment. The other legal remedy was by indictment, but those who resorted to this process were bound to show not only, as in the action for damages, the source from which the injury proceeded, but also that the injury was of so public a nature that it might be fairly considered a public nuisance. That also was a difficult, expensive, and uncertain remedy. Various clauses had been introduced into recent public Bills, in which ineffectual attempts had been made to carry out the object sought by the present Bill. The causes of these failures was fully explained in the Report of the Committee of their Lordships' House, and that Committe consequently came to the conclusion that special legislation was necessary. Great numbers of the leading manufacturers acquiesced in the proposed legislation, and agreed that a special enactment was necessary, which should be applicable solely to the alkali trade. It was said with truth that other works did as much injury as alkali works, and it was asked why there should not be a general measure applicable to other trades. The reason was that in these particular works an undoubted remedy had been discovered, which could not be said with the same certainty of other works. The manufacturers themselves had first endeavoured to correct the evil, but they failed because they could not obtain the co-operation of every member of the trade. Under these circumstances the present measure had been introduced in the House of Lords. It proposed that inspectors should be appointed, and that all alkali works should be carried on to the satisfaction of these inspectors, but there was nothing to empower the inspector to direct any alteration in the process of the manufacture. The Bill provided for the registration of the works, and that the inspectors should have power to enter them at any time during the night or day, in order to examine into the efficiency of the apparatus for the condensing of the gas. It was also enacted, that all offences under the Act should be adjudicated upon by the Court of Quarter Sessions. It might be objected that that might not be an entirely impartial tribunal, and the Government were prepared to consider, when they came to the clause, a proposal to give a power of appeal. He would admit that the Bill was to a certain extent new, because it instituted for the first time an inspection for the protection of property, and not for the safety of workmen. The Government would therefore be willing to consider any suggestions for securing the manufacturers against improper interference.

MR. HUSSEY VIVIAN said, that the Bill proposed to institute a control over one of the largest and most important manufactures of the country, the statistics of which could not be expressed by hundreds or even by thousands, but only by millions. The alkali manufacture consumed 1,761,000 tons of raw material, and produced 280,000 tons of finished goods, of the yearly value of £2,500,000. The capital involved in the trade somewhat exceeded £2,000,000. The hands directly and indirectly employed in the trade were 19,000, and the question therefore involved the maintenance of nearly 100,000 souls. The wages paid were £871,750 per annum. The trade gave employment to a large quantity of shipping, for the estimated tonnage of the raw materials and finished goods was 2,500,000 tons. Some of the most important and most necessary articles of life were dependent for their cost on the production of alkali. Next to oil and tallow the most essential ingredient in the manufacture of soap was caustic alkali. It was also the raw material of the heaviest cost in the manufacture of glass, which consisted of alkali and sand fused together. Alkali was also an important element in the manufacture of paper from other material besides rags. The use of straw, for example, depended on a solution of silica by caustic soda, which was the chief means of using vegetable fibres. Alkali was also largely used as a cheap soap, and as bleaching powder in cotton bleaching. Petitions in favour of Amendments to the Bill had been agreed to by the Chambers of Commerce of various towns, and also by bodies and trades indirectly interested. He mentioned these facts in order to invite the assistance of the Committee in introducing such clauses as the manufacturers deemed necessary for their protection. The alkali manufacture was, in fact, a peculiar trade. The cheapness with which alkali could be manufactured depended on the locality. Four elements entered into the composition of alkali—salt, pyrites, coals, and limestone and chalk. There were very few localities in the kingdom in which these several products were found in close proximity. An additional tax of only 1*s.* per ton would impose a tax of £100,000 on the transport of the raw materials, and would increase the cost of production of all the necessaries of life into which alkali so largely entered. It was, therefore, desirable that the trade should continue to be carried on in the especial localities adapted for it. If, however, Parliament introduced clauses to drive the trade from the most suitable localities into other districts, the additional cost of transport would involve an increased cost of production. The manufacturers had met the Bill justly; they did not object to legislation, but there were some Amendments which they desired should be introduced, and he hoped that the Committee would give a fair consideration to them. The Amendments which he intended to propose for the protection of the manufacturers, had for their object the providing due notice of the ground on which the manufacturers had rendered themselves liable to penalties, and, further, that they should have the power of appealing from the local tribunal to a higher court.

MR. E. P. BOUVERIE said, he entertained great doubt as to the policy of the measure. It was an entire novelty in legislation. The Bill attempted to deal with one particular trade—and that a very extensive one—when still greater evils were produced by the noxious vapours created by other manufactures, which were left untouched. For that purpose it introduced something like a system of excise without the excuse of raising revenue. The nuisance which they proposed to suppress had of late years diminished, in consequence of the discoveries of science; and he did not see why parties complaining of any damage or inconvenience from alkali works should not be left to their present legal remedy. In deference, however, to what seemed to be the general feeling in favour of the Bill he would not move its complete rejection; but he would propose in Committee that its operation should be limited to a few years, so that Parliament might before long have an opportunity of again considering the question.

LORD STANLEY said, he wished it to be understood that this was by no means an Act for the exclusive protection of the landed interest, as was sometimes asserted, but that it was one for the protection of the health and comfort of the inhabitants residing in the towns and neighbourhood where these works were carried on. It had been said that things were mending, but the facts were exactly contrary; for every year matters were getting worse and worse. In the neighbourhood of St. Helen's vegetation had disappeared, the farmers had been driven further and further from these works, and the actual destruction of agricultural property was increasing every year. The right hon. Gentleman, the Member for Kilmarnock (Mr. E. P. Bouverie) asked why they should not rely in that case upon the old legal remedy? Now, the fact was, that that remedy had been effectual in former times, when those works were thinly scattered over certain districts; but in the present day, in consequence of the number of manufactories adjoining one another, it was hardly possible to prove that a nuisance proceeded from any one of them in particular, and the law thus became inoperative. He would only further remind the Committee, that a majority of the trade had given their assent to the remedy for the evil which the Bill would afford.

MR. HEADLAM said, it was very much to the credit of the alkali manufacturers, that they were ready voluntarily to subject themselves to these inconveniences for the public good. The House would do well to go on with the Bill, but the clauses would require careful consideration, as the measure was certainly one of an exceptional character.

MR. GATHORNE HARDY said, he wished to remind the right hon. Gentleman the Member for Kilmarnock, that Parliament had given more stringent powers for the suppression of smoke than any which the present Bill would confer.

Mr. HENLEY said, that if he had entertained any doubt as to the necessity for the Bill, it had been removed by the hon. Gentleman (Mr. Hussey Vivian), who had shown the extent of the alkali manufacture, and the tendency of these undertakings to congregate together, and thus cause a condensation of the mischief. A worse tribunal than the Court of Quarter Sessions, however, for the prosecution of offences under the Bill, could not be selected. It was a matter not connected with the peace of the country, and was a sort of thing entirely beyond their cognizance. At the same time, the nuisance complained of was of such a nature that Parliament ought to try to meet it by legislation.

Lord STANLEY said, it was open for the Committee to consider whether the County Court could not be substituted for the Court of Quarter Sessions. The judge of the County Court might, if necessary, have the assistance of the jury.

Preamble *postponed*.

Clauses 1 and 2 *agreed to*.

Clause 3 (Interpretation Clause).

Mr. DOULTON said, that the Clause provided that alkali wash should mean every wash in which muriatic gas was evolved. He would move, however, as an Amendment, to leave out all the words after "wash", and to insert the words "for the manufacture of alkali and the sulphates of soda and potash."

Amendment *agreed to*.

Clause *ordered* to stand part of the Bill.

Clause 4 (Conduct of Alkali Works).

Mr. PULLER said, he would move to insert the word "reasonable" so as to require that the condensation of the gas should be effected to the reasonable satisfaction of the inspector.

Mr. BRUCE said, he thought the word would be surplusage.

Amendment by leave *withdrawn*.

Mr. HUSSEY VIVIAN said, the Clause provided, that if any alkali work was not carried on in such a manner as to secure the condensation of not less than 95 per cent of the muriatic gas evolved, the owner of the work should be deemed to be guilty of an offence and be subject to penalties. He wished to move an Amendment in order more clearly to define the offence. The proportion of 95 per cent seemed enormous; but so perfect was the process that that amount of condensation would be secured. He would move to insert the words "on its being made to appear to the court before which any information or complaint in respect thereof shall be heard or determined, that 95 per centum at least of the muriatic gas evolved in such work has not been condensed."

Amendment *agreed to*.

Mr. PULLER said, he would then move to leave out the word "each," the effect of the Amendment being to render the manufacturers not liable, as the clause enacted, for "each" such offence.

Amendment *agreed to*.

Mr. PULLER said, he would then move to leave out the words "and in respect of a continuous offence, after notice from the inspector, to a penalty not exceeding £30 nor less than £5, for every day during which the alkali work is carried on in contravention of this section," and to insert, "provided always that no such owner shall be convicted of more than one such offence in respect of any one day, nor of more than one such offence committed previous to any conviction."

Amendment *agreed to*.

Mr. HUSSEY VIVIAN said, he wished to move that a proviso be added that no penalty be imposed unless the Inspector should produce before the justice of the peace who was about to issue a summons a certificate in writing of the facts on which he founded his opinion that 95 per cent of the muriatic gas evolved in the alkali works is not condensed therein, and serve a copy with such summons.

Mr. HENLEY said, he thought that a curious Amendment. He should oppose it, on the ground that it was really furnishing the defendants with the whole of the evidence on which the case against them was founded.

Mr. BRIGHT said, it was admitted that the proposed legislation was novel, and that the alkali manufacturers had met the wishes of noble Lords in another House with fairness and liberality. He would therefore advise the Committee to accept the Amendments they suggested.

Mr. HEADLAM said, he trusted the Committee would agree to the Amendment, because it was desirable that full information should be given of the grounds on which the Inspector founded his opinion. It was also desirable that the Inspector should carry on his work with a feeling that he was responsible for his actions.

Mr. HENLEY said, he agreed that the manufacturer should know the charge he was called upon to meet, but he did not think that sticking it into the summons would do it.

Mr. COX said, he must submit that the Inspector who made a complaint ought to know exactly the facts on which he had founded his opinion.

Mr. H. A. BRUCE said, he had no objection to the introduction of the words proposed to be added, on the understanding that, in case he should hereafter think they would fetter the actions of the Inspector, he should be at liberty to introduce words to prevent such an effect.

Mr. PULLER said, he would then move the addition of a proviso to the effect, that if an owner of alkali works should prove that he had used due diligence to comply with the Act, and that the offence complained of had been occasioned by the fault or neglect of his agent, servant, or workman without his knowledge, consent, or connivance, it should not be compulsory on the court to convict the owner. The object of the proviso, was to secure to the manufacturers that they should not be made the victims of their workmen; and that if the manufacturers really desired to carry the Act into execution, neither any designed act on the part of the workmen nor their negligence should subject the employer to penalties.

Mr. HUSSEY VIVIAN said, it was an alternative proposition to one of which he had given notice, and the manufacturers preferred his.

Mr. H. A. BRUCE said, he hoped the hon. Member would withdraw the Amendment.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clause 5 (Registration of Alkali Works).

Mr. BRIGHT said, that it was proposed that in every register there should be inserted the name in full of the owner, the name of the parish or township in which the works are situate, and the name or names of the articles intended to be produced at the works. It was necessary sometimes to make changes in chemical preparations, and if the words were retained, the manufacturer would be liable to a penalty for the introduction of every new article, however small, in accordance with the varying changes of trade. He proposed, therefore, to leave out the words, "the name and names of the articles intended to be produced at the works."

Amendment *agreed to.*

Mr. PULLER said, no penalty was imposed for non-registration. He would therefore move the insertion of words imposing a penalty of not less than £5 nor more than £10 for every day during which the works should be carried on without registration.

Mr. BRIGHT said, he thought the penalty of £10 was excessive.

Mr. JACKSON moved, as an Amendment, that the penalty should not exceed £5.

Amendment *agreed to.*

Clause, as amended, added to the Bill.

Clauses 6 and 7 were also *agreed to.*

Clause(Duties, and Powers of Inspector).

Mr. H. A. BRUCE said, he would move the insertion of words directing that notice should be given to the owner of works carried on in contravention of the Act of the commission of the offence, as soon as conveniently might be after the commission of such offence.

Clause, as amended, *agreed to;* as were also Clauses 9, 10, and 11.

Clause 12 (Recovery of General Penalties).

Mr. HENLEY said, the whole cause required much consideration. The court was to be both judge and jury at once, and in his opinion the magistrates in Quarter Sessions would form a very undesirable tribunal to decide the questions which would arise under the Act. It was no part of their ordinary business to inflict penalties. In the county of Lancaster, in which the Act would mainly come into operation, there were not less than 600 magistrates. How many were to sit in judgment on these cases, and what would become of the Court if the case were to last a whole day, or more than a day? Would it not be supposed by the public that magistrates would take part in the judgment who had not heard the evidence?

Lord STANLEY said, he was ready to admit that Quarter Sessions was not perhaps the best Court that could be devised for trying these cases. But he should state, that although there were 600 magistrates in Lancashire, there were not more than one hundred who practically took part in criminal business. The county was divided into five divisions for criminal business, and the number of magistrates who would hear those cases would vary from five or six to twelve or fifteen. They would be as competent to deal with these cases as any non-professional persons could be. As to magistrates passing in and out of court, he believed that they scrupulously abstained from interfering in criminal cases unless they had heard the whole of the evidence.

Mr. BRIGHT said, he doubted whether the manufacturers interested in it would be satisfied with the clause. If they were satisfied, they did not understand their own interests, because the complaints could not be referred to a more objectionable tribunal. The complaints would be more frequently brought by landed proprietors, than by any other classes, and they formed a large portion of the magistracy who presided at Quarter Sessions. He thought it was most likely that there would be a temptation in these cases for a larger number than usual to attend, and that the magistrates would feel not a judicial but a personal interest in the decisions under the Act. He would suggest that the County Court would be a better tribunal. He confessed, that if he were an alkali manufacturer, he would certainly prefer to have his case brought before the County Court, and let the judge have a jury, if necessary, to assist him. Nothing could be more monstrous than to place the interests of the manufacturers under the judicial management of the Quarter Sessions, and subject them to the confusion that must arise. Perhaps it would be well to postpone the determination of the question, and within a week the House might be able to adopt some more satisfactory proposal.

Colonel WILSON PATTEN said, it it might seem invidious that cases in which manufactures were specially interested should be tried before the magistrates at Quarter Sessions. The hon. Member for Birmingham (Mr. Bright) would find, however, that out of the 600 magistrates in Lancashire, 400 were connected with manufactures, and 200 only were connected exclusively with land.

Sir MATTHEW RIDLEY said, that as a magistrate himself he was unwilling to be invested with such a jurisdiction. He thought there were grave objections to that mode of proceeding.

Mr. JACKSON said, he must avow that he was in favour of leaving the jurisdiction of the cases under the Act with the County Court. At the same time, he would recommend that the consideration of the clause be postponed.

Mr. HUSSEY VIVIAN said, the transfer of the jurisdiction to the County Court would be acceptable to the manufacturers. At the same time, they desired that the decision on such important matters should not be left to one court, but that there should be a power of appeal.

Mr. COX said, he thought the best way would be to negative the clause when it was put, and then the Government might bring up a clause giving the jurisdiction to the County Court.

Mr. H. A. BRUCE said, it would be open to any hon. Member, on the Report being presented, to move the omission of the clause and the substitution of another, making the County Court the tribunal. It must be remembered, however, that such a proposal would give the County Courts a jurisdiction of a new kind. At present, the County Court had no power to impose penalties. It was impossible for the Government to substitute the County Court, without considering the question more fully than it was possible to do at the present moment.

Mr. LIDDELL remarked, that the County Court would be the better tribunal, as a considerable number of the magistrates belonged to the manufacturing classes.

Mr. BRIGHT said, he begged it should not be supposed that he brought any charge against magistrates; but they were likely to feel a strong personal interest in the subject; and if he were a landed proprietor, he would rather not have such matters brought before him. If they had another tribunal, the law would be more satisfactorily carried out. If the landed proprietors were in a minority, they might complain that the cases were brought before a tribunal where the majority were manufacturers.

Lord STANLEY said, he did not think they were then in a position to decide upon the matter.

Mr. BRIGHT said, he would move that the Chairman be ordered to report progress, and they could then let the matter stand over for a week to give the Government an opportunity of considering the question. In the mean time they might have representations from the gentlemen immediately concerned in the Act, namely, the manufacturers, which would enable them to agree to a proposition that would be satisfactory.

SIR GEORGE GREY said, he preferred that the proposal should come from a private Member. He doubted whether it would be expedient to take the jurisdiction from the Courts of Quarter Sessions.

MR. COBDEN said, that the noble Lord (Lord Stanley) had told the Committee that what they were going to do was with the consent of the alkali manufacturers. He (Mr. Cobden), however, was warranted in saying that the manufacturers would unanimously oppose the measure unless it were accompanied with the Amendments suggested by the trade. Considering how fairly, he might even say with how much docility, the trade had received the novel legislation comprised in the Bill, they ought to be treated with the greatest consideration. If the trade had resisted this special legislation, and if they had appealed to Parliament to strengthen its general legislation for abating nuisances, he believed that the House would have sided with the manufacturers. He remembered a large establishment near Newton, with a tall chimney 200 or 300 feet high. The proprietors of those alkali works were prosecuted successively and successfully by the landed proprietors, until they blew up their large chimney with gunpowder. That proved that the landowners were not altogether powerless under the present law. He had no hesitation in saying, that if the Committee placed the jurisdiction in Quarter Sessions without appeal, the Bill would be unsatisfactory to the trade, and would be resisted by them in every possible way. He wished, therefore, to ask the Government if they would consent to postpone the clause and bring in a proviso for giving the jurisdiction to the County Courts?

SIR GEORGE GREY said, he did not understand that the trade would accept a clause giving jurisdiction to the County Court Judges without appeal. The Government were in favour of Quarter Sessions, but they were prepared to give some appeal from Quarter Sessions.

MR. BRIGHT said, that after the explanation of the right hon. Gentleman he would not press his Motion.

Motion, by leave, *withdrawn.*

MR. COBDEN said, he had no doubt that the very influential gentlemen representing the trade in London would in the course of a week be able to give an opinion on the subject that would assist them in coming to a decision. Probably they might wish to have an appeal to have the cases uniform, without reference to the tribunal that had decided in the first instance, though in the case of the Quarter Sessions Court they might wish to have an appeal for other reasons which he (Mr. Cobden) would not go into. The complaints under the Act would not impose much business on any court, and they could not have many appeals.

MR. HENLEY said, he did not wish to have two trials on the merits, but it was very necessary to have some uniformity of decision. The best way to get at the facts was by a jury. He had a weakness for juries. The parties could then go to a court of law to see if any evidence had been improperly let in, and to set the law right. But the Court of Quarter Sessions was constituted the judge and jury, and, what was worse, the Bill gave the court an original jurisdiction.

MR. E. P. BOUVERIE said, he wished to ask why, instead of enacting pecuniary penalties, there should not be an indictment at Quarter Sessions. The evidence of the inspector could be made satisfactory proof that 95 per cent of muriatic gas had not been consumed, and that might be taken as conclusive evidence of a public nuisance. The Quarter Sessions could then act in the regular manner.

SIR DAVID DUNDAS said, that the matter to be heard would probably involve some scientific facts in chemistry which would be better tried by a single judge in the County Court than by several magistrates at Quarter Sessions.

Question put, "That the clause, as amended, stand part of the Bill."

The Committee *divided*:—Ayes 111, Noes 67; Majority, 44.

Clause *agreed to*; as was Clause 13.

MR. HUSSEY VIVIAN said, he would move a clause enabling the owner of any alkali work who might be charged with an offence under the Bill, to have the workman through whose negligence it may have occurred brought before the court; and on proof that the workman had committed the offence, the workman should be liable to be fined instead of the owner.

MR. GATHORNE HARDY objected to the clause. The Bill was framed with a view exclusively to the proceedings of the manufacturers.

Mr. PULLER said, he would move as an Amendment words to the effect, that if the master should show that the infraction of the Act was caused by the negligence of any workman or agent, it should not be compulsory on the court to convict the owner.

Clause (Owner to be liable for Offences in the first instance,)—(*Mr. Hussey Vivian,*) *brought up*, and read 1°.

Question put, "That the Clause be read a second time."

The Committee *divided*:—Ayes 87; Noes 61; Majority 26.

House *resumed*.

Committee report Progress; to sit again on *Thursday* next.

THE INTERNATIONAL EXHIBITION BUILDING.—QUESTION.

Viscount ENFIELD said, he wished to ask Mr. Chancellor of the Exchequer, Whether it be true that in a Report sent in lately to the Treasury the value of the materials composing the Exhibition Buildings are there estimated at but £30,000, less the cost of their pulling down and removal, and of making good the site; and whether there will be any objection to laying such Report upon the table of the House previous to a Vote being asked of £80,000 for the purchase of such buildings.

The CHANCELLOR of the EXCHEQUER said, in reply that the question was one which he might answer with a dry negative. Such an answer would not, however, in all probability, be satisfactory to his noble Friend, because it was plain that he must have been misled as to the nature of the Report to which he referred. He would therefore tell him how the matter really stood. No Report of an official character, or drawn up by any person employed by the Government for the purpose of making an estimate of the removable value of the materials of the Exhibition Building had been sent to the Treasury. At the close of the Exhibition it became the duty of Mr. Bowring, the very able Secretary of the Commissioners of 1851, to frame a statement with the view of placing before the Commissioners their exact financial position in relation to the transactions into which they had entered. At a subsequent date Mr. Bowring drew up another statement, which was intended to place before the Government as many of the facts relating to the Commissioners of 1851 as were material, with regard to the letter which the Commissioners had addressed to the Government inquiring whether they meant to renew their proposal of last year for the purchase of the land. Mr. Bowring, in making his statement, did not in the slightest degree presume or intend to form an accurate estimate of the nature of the materials. He gave a rough sketch of what he conceived would have to be paid if the intention of getting possession of the building was carried into effect. He stated the minimum value of the materials at £30,000. He had not done yet. The maximum value Mr. Bowring set down at £200,000. It was therefore at some point between £30,000 and £200,000 that he thought the contractors would be entitled to fix their demand. He cautiously added—

> "It is only fair to the contractors to say that they estimated the net value of the old materials at a considerably higher sum. The bricks in the annexes have been sold by them at prices which, if realized for the bricks in the main building, would produce a net sum of £18,000."

He (the Chancellor of the Exchequer) need not remind the House that besides the bricks there was the timber, the glass, and the iron, which were very valuable, and which would realize a very large sum of money. The estimate on which the Government proceeded was a very different one. It was an examination carefully made by professional persons during many days. It should, he might add, be borne in mind, that nothing was more open to discussion than the particular point at which the removable value of the materials of a building should be fixed. No positive standard could be taken in the matter. It must depend mainly on the market for the materials. That market must depend on their nearness or distance, and a fundamental element in the whole question was the time within which the parties would be compelled to clear the ground. The contractors were under no obligations to take down the building in the shortest possible time; and there was scarcely a probability of the Government getting the command of the ground for the purpose of raising any new structure before the summer of 1865 at the earliest.

OFFICERS OF ARTILLERY IN INDIA. QUESTION.

Colonel SYKES said, he would beg to ask the Secretary of State for India, Whether or not it be the fact that instructions have been issued by the Home Authorities to those in India with the view of preventing Officers of the Indian (now Royal) Artillery from being withdrawn from their Regiments for Staff, Civil, or other detached employment under the several Local Governments, for which, before being transferred under the authority of the Horse Guards, they were, by the Regulations of the Indian Service, equally eligible with Officers of Cavalry and Infantry?

SIR CHARLES WOOD said, in reply, that no instructions had been sent out; but no doubt the tendency would be to employ fewer Artillery Officers in the manner indicated by the hon. and gallant Member, because there were now numerous Officers of Cavalry and Infantry who were unattached, whereas the services of the Artillery Officers were wanted with their Corps.

COLONEL SYKES: But there is no prohibition?

SIR CHARLES WOOD: No.

THE KNOUT IN POLAND.

QUESTION.

MR. SCULLY said, he rose to ask the Under Secretary of State for Foreign Affairs, Is it true that the Russian General Mouravieff has issued an ordinance proclaiming that the penalty of the Knout will be inflicted on all Polish ladies dressed in mourning?

MR. LAYARD said, in reply, that he had no official information in respect to the alleged punishment of Polish ladies dressed in mourning, by the infliction at the hands of the Russians of the knout, and he was therefore sorry that it was not in his power to contradict the statement in the morning papers.

VACCINATION OF SHEEP.

QUESTION.

SIR JERVOISE JERVOISE said, he he would beg to ask the Secretary of State for the Home Department, Whether any information can be given of the result of experiments as to the effect of vaccination on sheep, or any particulars of the professional services in examining sheep arriving in Irish ports, with a view of preventing the spread of small-pox among them, for which objects a Vote of £434 10*s.* is proposed in Class VII., Vote 14, Miscellaneous Estimates?

SIR GEORGE GREY said, in reply, that part of the money had been expended upon experiments, and part in the inspection of sheep arriving at the ports of Ireland. The experiments had not yet been completed; but when they were, the results should be laid upon the table of the House.

THE RIVER SHANNON.—QUESTION.

COLONEL FRENCH said, he wished to ask the Secretary of the Treasury, If Mr. Bateman's Report on the River Shannon is to be in the hands of Members this Session?

MR. PEEL said, the Report would be shortly laid before the House.

PAROCHIAL SCHOOLMASTERS IN SCOTLAND.—QUESTION.

MR. DUNLOP said, he wished to ask the Vice President of the Committee of Council on Education, Whether, with a view to the Revised Code coming into operation in Scotland, the recent addition to the 52nd Article, as to the deduction of Salaries arising from endowment, the legal Salaries of Parochial Schoolmasters in Scotland are meant to be included under the provision in that addition?

MR. LOWE replied, that the legal salaries of parochial schoolmasters were not intended to be subjected to the operation of the Minute with reference to endowments, inasmuch as they more resembled the contributions of charitable persons who were living than endowments; with this advantage, however, to the heritors that the assessments were made by a responsible public levy, and spread over the parish, instead of trusting, as in England, to the generosity of one man to make up for the parsimony of another.

THE MALWA FIELD FORCE.

QUESTION.

LORD STANLEY said, he rose to ask the Secretary of State for India, Whether it is true that the Private Soldiers of the Malwa Field Force, which afterwards formed the first Brigade of Sir Hugh Rose's Division, will receive about £40 each from the Dhar Prize Money, this booty having been granted exclusively to the actual captors; and whether it has also been proposed to allot to these Troops a share of the Banda and Kirwee Prize Money on the principle of constructive capture; and, if so, whether the Law Officers of the Crown have concurred in that suggestion?

SIR CHARLES WOOD said, he believed that the private soldiers would, as stated by the noble Lord, receive about £40 each from the Dhar Prize Money. In reply to the second Question asked by the noble Lord, he would only state that the decision of the Question rested with the Treasury; but what that decision would be he could not say.

PORTPATRICK HARBOUR.

QUESTION.

MR. CONINGHAM said, he would beg to ask the President of the Board of Trade, Why the Portpatrick Railway Company have been allowed to repudiate that portion of their reciprocal agreement with the Treasury by which they were pledged to extend their Railway to Glasgow, so as to connect the North of Ireland with that city; and if, in that case, it is advisable to ask for an additional grant of five thousand pounds beyond the sum originally agreed upon and reported as necessary to fulfil the engagement entered into by former Governments?

MR. MILNER GIBSON replied, that he was not aware that the Railway Company referred to had been allowed to repudiate any agreement that it had entered into with the Government. He believed the facts were these:—At the commencement of 1856 the Treasury proposed that there should be two lines of railway to Portpatrick, one going north to Glasgow, the other going east to Dumfries, and that Portpatrick Harbour should be improved and adapted to vessels carrying on the mail service to Ireland. As the Government undertook to improve the harbour, they insisted on a Clause being inserted in the Act of the Portpatrick Railway Company's Bill which prohibited the declaration of any dividends until the Company brought within a certain time as far as the harbour its line, which runs east to Dumfries. The Company had completed its arrangements, and therefore the Government had proceeded to improve the harbour.

MR. CONINGHAM: By what influence is the traffic from this country to Ireland forced to go to Portpatrick?

MR. MILNER GIBSON: I am not aware of any influence of that nature. I found that successive Governments had bound themselves by engagements from which it was impossible to escape; and as I am in a position to carry out the project, I think it is my duty to proceed with the improvement of the harbour.

Sir Charles Wood

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

POOR LAW RATING AND ASSESSMENT.

RETURN MOVED FOR.

MR. HUBBARD said, that, pursuant to notice, he rose to call the attention of the House to the state of the law for rating to the relief of the poor, and to move for Returns in connection with the Union Assessment Committee Act. Previous to the year 1836, the system of assessment in various parishes was conducted on the principle of assessing the property at the lowest possible value. In fact, every one endeavoured so to assess himself as to relieve himself as much as possible from the common burdens. In that year, however, under the guidance of the right hon. Member for Stroud, a Bill was brought in for the purpose of regulating parochial assessments, the first and most important clause of which laid down two principles—that there should be a definite rule for the ascertainment of the gross estimated rental, and that a just scale of deductions should be fixed in order to arrive at the net ratable value. That Bill, however, though admirable in intention, did not provide the necessary machinery; and consequently, in 1862, another Bill was introduced containing the necessary powers. The action of the various provisions being somewhat uncertain, instructions were from time to time issued by the Poor Law Board. But there was one point on which it was still necessary that the various local authorities should have some idea in common, with a view to harmonious action, and that was as to the deductions which ought to be made on particular classes of property, so as to reach the net ratable value. Various county meetings had been held with that object; and although they had not any positive legal status, they operated beneficially in bringing together the chairmen of committees and eliciting opinions. It was remarkable how these opinions varied at different meetings. In Worcester, under the auspices of the right hon. Gentleman the Member for Droitwich (Sir J. Pakington), the county magistrates and chairmen of committees adopted, as the scale of deductions to be allowed, 2½ per cent on land simply, on land with buildings $7\frac{1}{2}$ per cent, on houses 15 per cent, and on cottages of less than £6 value 20 per cent. That scale every one would admit to be fair and moderate. But in the county of Norfolk they proposed to deduct on land from 1 to 5 per cent, on land with buildings 5 to 15 per cent, on houses 10 to 15 per cent, and on cottages 15 to 35 per cent. The enormous difference between these two scales must be apparent to every hon. Member. In Buckinghamshire the county of Norfolk was outstripped, for there it was proposed to allow from 5 to 20 per cent upon land and buildings —a proposition which was obviously absurd. These county meetings, having no official status, and no practical power, the different union committees in many instances exercised an independence of action, and adopted scales more justifiable according to their notions. In the Union of Buckingham, the Committee adopted the following scale:—On land, according to the extent and nature of the fences and buildings, from 1 to 10 per cent; on houses generally, 10 to 20 per cent; on cottages under £6 value, from 10 to 25 per cent. Practically it was found that where a range of allowance was sanctioned, every one almost took the highest figure, and eventually most of the land with buildings and house obtained an allowance of 10 per cent; land with buildings, but without a house, obtained 5 per cent; and land without buildings obtained $2\frac{1}{2}$ per cent. The result of the new assessment, so far as he had been able to ascertain it, proved the great necessity of this revision. The Returns for the Union of Buckingham showed that in 1856 the rental assessed was £68,665. There had been an increase of 38 per cent, or £25,782; so that in 1863 the net ratable value was £94.447, the gross estimated rental was £105,494, while the deductions, averaging $10\frac{1}{2}$ per cent, amounted to £11,047, showing a net amount of £94,447. With regard to individual parishes, the disproportion between the old and new assessment were most extraordinary. Whilst the average increase in ratable value was 38 per cent, the increase under the average in one parish was 19, in another 28, in another 20, and in the borough 26; while the increase above the average was in one parish 52, in another 52, in another 64, and in another 68. These statements showed that the old assessment was fraught with exaggerated inequalities. And there was another point deserving the attention of the House, because it affected an important class of property—the tithe rent charge. A letter had been directed to the Poor Law Board by the clerk of the Buckingham Union, which stated that—

> "The Act for enclosing the common fields of the parish of Thornborough (passed in the year 1791) directs payment to the vicar of certain corn rents in lieu of tithes, such payment to be made free and clear of all manner of parochial taxes whatsoever, and also from all other taxes now imposed, except land tax. The Committee are desirous of knowing whether the operation of the private Act of 1797 has been to exonerate altogether from local taxation the value of the tithe corn rents of Thornborough, or whether it has been to transfer to the tithe-payers the liability antecedently resting on the tithe-owner. Assuming the net annual value of the parish of Thornborough to be £1,500, of which the corn rent free of rates is £150, and the value of the other ratable property to be £1,350, ought the parish to be rated on £1,500, or on £1,350? As a parochial Act solely, it is obviously immaterial, since to produce the same amount the smaller sum would be assessed to a higher ratio; but with reference to union and county contributions the parish would be a gainer by its assessments being levied on £1,350, and it would then, in virtue of a private Act, have received a partial exemption from a liability to a common fund."

To that the following answer was returned by the Secretary:—

> "I am directed by the Poor Law Board to acknowledge the receipt of your letter of the 23rd ult. The Board direct me to state that it appears to them that the corn rents referred to are wholly exempt from the liability to be assessed, and therefore the amount cannot be taken into consideration, either by the entry of it as a separate item in the valuation lists, nor by an addition to the assessment of the other property in the other parishes."

If that was the true state of the law, it ought to be altered, for nothing could be more unjust than that a parish making an arrangement with a vicar by which in lieu of his ratable tithes they covenant to pay him a corn rent free of rate, should escape a liability to assessment as touching the tithe surrendered to them, and he trusted the attention of the Law Officers of the Crown would be directed to the subject. Some of the parishes had made returns omitting the tithe rent-charge and others had included it. The Union Committees were in this position, that they did not know of which return they ought to approve.

Then there was another matter of considerable importance, which related to clergymen and the question of curates' stipends. There was no doubt that the clergy had been paying a much larger proportion of parochial taxation than they ought, and they were now desirous of obtaining the most ample redress which the law contemplated. In the year 1859 the Poor Law Board obtained the opinion of the Law Officers of the Crown upon the subject, and in the May of that year they issued a circular with regard to the decision of the Court of Queen's Bench in the case of "The Queen *v.* Goodchild and others." That circular said—

> "With reference to the subject of allowance on curates' salaries, the Court of Queen's Bench considered two subjects. One was a claim made by the incumbent in respect of the value of his own personal labour and services. The Court decided that no deduction could be allowed upon this head. The second was a claim for the salary of the curate. Upon this claim no universal rule was laid down; but the Court decided that in some cases the salary is not, while in others it is, to be allowed. It is not to be allowed where the curate is merely a substitute for the incumbent, as where he is non-resident—or, being resident, from sickness, infirmity, or any less creditable cause, does not perform his own duty personally, but employs another person instead. It is to be allowed where, from the vast size or population of the parish, one man's labour is entirely insufficient for the duties necessary to be discharged by the incumbent. Where the bishop of the diocese has required, under the statutes giving him the authority, the appointment of a stipendiary curate, and the incumbent, performing his duty, employs a curate in obedience to such requisition, an allowance is, according to the judgment of the Court, to be made in such case. So also the Court held that in cases where (the bishop not being legally empowered, or not being called upon to interfere) the incumbent from a sense of duty appoints a curate himself, devoting all his own time and attention to his cure, a reasonable allowance is to be made in respect of the curate's stipend."

Nothing could be more vague or unsatisfactory than such regulations; and how was it to be expected that a country overseer should be able to decide on some of the nice points which were involved? Last year, however, upon occasion of an application for information to the Poor Law Board, the Board issued another circular to the following effect:—

> "The Board direct me to state that it would be inconsistent with their practice to express an opinion with reference to any particular case, but they forward for your information a copy of a circular issued by them on the 9th of May 1859, explaining their general views on the subject of the assessment of tithe commutation rent-charge to the poor rate. The Board, at the same time, desire to call your attention to the recent decisions of the Court of Queen's Bench, with regard to the deductions for a curate's salary, and to payments charged on behalf of district ministers and others. It will be seen that these decisions materially modify some of the views expressed in the circular."

Thus it appears that the instructions, already vague enough, were subject to further modification; and this was the present condition of the subject. He certainly thought the law ought not to be left in that state of uncertainty.

There was another matter which had been brought under the notice of the House by petition. Complaints had been made as to the state of the law with regard to the assessment to the poor rate of woodlands and mines. With regard to the former the state of the law was very peculiar. In the Act of Elizabeth, as mention was made of salable underwood, it had been concluded that all other description of wood was exempt, and so the law now remained. Now, nothing could be more absurd than such an interpretation. Salable underwood had been defined to be wood growing from a re-productive stool or stem: an ash tree of any size growing singly from its stem is exempt, but five ash poles growing from a common stem are ratable. Land devoted to the growth of chesnut hop-poles yields a ratable produce. Land occupied in the growth of larch poles escapes the rate. Upon what ground could that state of the law be justified? In regard to mines the law was just as extraordinary. The mention of coal mines in the reign of Elizabeth had led to the exemption of all other mines; so that coal mines were ratable, whilst lead, iron, copper, and tin were exempt. Again, stone quarries that were under the ground and invisible were exempt, whilst the same minerals, when gathered from the surface were assessed, as being the produce of the land, and came under the operation of the Poor Law. Another curious refinement was, that if a landowner reserved a royalty in the raw produce of a mine, the raw produce was ratable; but if it were reserved in the same mineral in a wrought or manufactured state, or if it were reserved in money value, then the produce was exempt from taxation. This question had been pressed on his attention by the Petitions that had been presented to the House; but still the subject had not escaped previous notice, and these exemptions had been uniformly condemned—first, by a Committee of that House on the Poor Laws in 1818; again, in 1843, by the Commission of Inquiry into the State and Administration of the Poor Law; and again in 1857 by another Committee of that House. With regard to the last anomalies which he had referred to, he had not mentioned them with the idea of forcing on a consideration of those subjects at present, for he should be sorry to add just now to the labour of those connected with the Poor Law Board, who were overwhelmed with work of an exceedingly anxious nature; but he would recommend his right hon Friend (Mr. Villiers) to turn his attention to the points connected with corn rents and curates' stipends. The matter was too important to be allowed to drag on year after year without an attempt being made to remedy some of these anomalies. Without wishing to prejudge the action that might be taken by different unions, and because it would be useful to see how the law had been interpreted in different parts of the country, he wished to move for a Return of all parishes (being part of a union) in which the corn rents for tithe were exempt by Act of Parliament from parochial taxation, showing the amounts paid for such corn rents in the last year; and also for a Return of the Resolutions passed by the several unions fixing the deductions to be made from the "gross estimated rental," under the heads of "land," "land and buildings," "woodlands," "houses," and "cottages under £6 value." It might be said it did not matter what amount was deducted; that all was fair if the parties in the same union agreed among themselves, and that all unions in the same county could not be expected to act on the same interpretation; but if the Legislature had passed a measure declaring that certain facts ought to be stated, they ought to be stated, and it was not satisfactory that they should be mis-stated because the parties agreed not to state them fairly. The hon. Member concluded by moving for the Returns.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "there be laid before this House, a Return of Parishes (forming part of some Union) in which the Corn Rent is exempt by Act of Parliament from parochial taxes, and showing the amounts of such Corn Rents as were paid last year; and Copy of the Resolutions of the several Unions in England as to the deductions from 'Gross Estimated Rental,' in order to obtain the 'Net Ratable Value,' under the various heads of 'Land,' 'Land and Buildings,' 'Woodlands,' 'Houses,' 'Cottages under £6 Rent,'"—(*Mr. Hubbard,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. HENLEY said, he hoped the right hon. Gentlemen would consider the matter well before he agreed to the last part of the Return, as, in his opinion, the hon. Member, in asking for the resolutions of the assessment committees, was asking too much. He did not think any hard rule could be laid down on the subject, as there was a wide difference even in the same parish in the value of properties classified under the same heads. A small farm of fifteen or twenty acres might have some ramshackling timber on it, and the farmhouse might be of the same description; but the deductions allowed in that case could not be applied to a farm of 1,000 acres, with well constructed buildings. In many cases the assessment committees might not have come to any formal resolutions, and a bare return of what had been done, without any explanation, would place the assessment committees in a very unfair position. Very different deductions would haves to be made in the case of cottages of good substantial brick, and structures of wattle-dab or cob, with clay walls and thatched roof. Chinese exactness in such matters was quite unattainable, and they must be content with an approximation.

MR. THOMPSON said, that if the assessment committees were to furnish the Returns at that moment, they would not only be useless, but would mislead. If the hon. Gentleman postponed his Motion, the Returns would not only be more complete, but there would be ample time for legislation next Session.

SIR BALDWIN LEIGHTON said, he thought it would be most desirable to have the Returns. He believed it was more in theory than in practice that differences existed as to the cost of repairs. He could not, however, but complain of the anomalous principles on which rating was enforced. For instance, a distinction was drawn between a brickwork where the clay was taken from the surface, and where it was procured from below ground; and open quarries were charged, while all mines, except those of coal, were exempted. He held that these cases ought to be treated alike. A large portion of Norfolk and other counties was not under the Act, which, as it was a very good one and worked well, ought to be applied to all parishes.

MR. DODSON said, he saw no advantage in giving the last Return asked for at that time, for it would be incomplete. It would be much better to wait for half a year longer. It was much better, in his opinion, to leave the matter in the hands of the local authorities than to lay down any hard and inflexible rule of assessment. He believed that all other minerals than coals were excepted because coals alone were mentioned in the act of Elizabeth, and that timber other than salable underwood was exempted for the same reason.

Mr. C. P. VILLIERS said, that having taken a chief part in passing the Parochial Amendments Act through the House, and having taken great interest in its working, he had no reason to complain of the discussion of that evening, because it showed, not that the Act had not worked satisfactorily, but that its operation had exposed anomalies in the rating which had existed for centuries, and thus proved the necessity for the measure. He did not understand the hon. Member for Buckingham to call upon him to correct those anomalies, which had been acknowledged by all the courts of justice, and which were nowhere more apparent than in the cases cited by the hon. Gentleman, of mines and salable underwood. The question arose from the construction which had been put upon the Act of Elizabeth. *Expressio unius, exclusio alterius est*, was the principle adopted by the courts; and as collieries were specifically mentioned in the Act, that was held to imply the exclusion of all other mines. He could not collect whether the hon. Member was satisfied with the decision of the Poor Law Board as to the mode in which assessment committees and overseers were to obtain the correct ratable value of property. Overseers now knew from the circular quoted by the hon. Gentleman that to arrive at the ratable value they were to make certain deductions from the estimated rental; and, consequently, the only question which remained was, on what principles those deductions were to be made. It was possible that great differences existed throughout the country in the amounts deducted from the estimated rental for repairs, but he was afraid he could not produce the resolutions of the assessment committees. In the first place, the unions are upwards of 650 in number, and he was not at all certain that they had generally agreed to resolutions on the subject. Some had, no doubt; but very few of the resolutions had reached the Poor Law Board, and still fewer stated the principle on which they were founded. He had ascertained, moreover, that even where resolutions had been passed, the assessment committees had not in all cases adhered to them. In the greater part of the unions the assessment committees had not come to any positive decision. On the whole, though he admitted that full information ought be procured, he thought the hon. Member should delay calling for the Returns for some time, especially since it would not be easy, perhaps not quite right, to enact a law requiring assessment committees to make their deductions on a fixed principle. If the Returns were to be ordered, then assessment committees might jump to the conclusion that there was to be fresh legislation on the subject, and might at once suspend their proceedings, which would be attended, not with any advantage, but probably with some little mischief. The hon. Member had found fault with the decision of the Poor Law Board exempting corn rents received by clergymen from the rate, and had asked whether they had taken the advice of the Crown lawyer on the point. The rule of the Board was, when they had any mistrust of their own opinion, to refer to the Law Officers of the Crown; but when other people mistrusted their opinion, they did not think it necessary to ask the Law Officers whether they were wrong. It was open, however, to the hon. Member to take any opinion he liked, or, indeed, to introduce a Bill on the subject. The cases of the exemption of corn rents must be extremely rare, and he did not really know where they were to be found. He could not therefore have a Return prepared without more definite information. As to the deduction to be made on account of the stipend which an incumbent paid to his curate, the law had been rendered clear and explicit by the decision of the Court of Queen's Bench. Where a curate was appointed, not as a substitute for, but as an assistant to the incumbent, there must be a deduction; but no deduction was to be made where the duties of the parish were not too onerous for one man, or where the incumbent was not resident. Only two cases had been brought under his notice in which the question had arisen, and the matter was one, therefore, which he did not think could be much in doubt. In conclusion, he had simply to express a hope that the hon. Gentleman would postpone his Motion for the Returns; and he could assure him, that if before the end of the Session sufficient progress should have been made by the assessment committees, and he found that full and satisfactory Returns could be procured of the rules on which they had acted, he should himself move for those Returns.

MR. PUGH said, he was glad to hear that the right hon. Gentleman was not yet disposed to take any action in the matter, as the time was not come for the required Return. The great desideratum in these cases was uniformity, in counties at all events, if not over a wider area. In his opinion, that uniformity would be much more likely to be attained if time were afforded for considering the various reports sent up from all parts of the country by the assessment committees.

Amendment, by leave, *withdrawn.*

GREENWICH HOSPITAL.

OBSERVATIONS. QUESTION.

MR. LIDDELL said, he rose to call attention to the Report of the Royal Commission upon Greenwich Hospital, presented to Parliament in May 1860, and to put some Questions with respect to it. Those Questions had reference, in the first place, to reforms which the Admiralty required the authority of the House to enable them to carry out; as, for example, the effecting any change in the constitution of the hospital or remodelling the governing body; and, in the second place, to matters in which the Admiralty could, *proprio motu*, effect a change, such as the improvement of the internal management and economy of the institution. The constitution of Greenwich Hospital rested mainly on the Act of 1829. It was an establishment which possessed large funded property, and the control of its estates, funded property, and financial affairs, was vested in a Board composed of five members, two of whom were Commissioners *ex officio* — namely, the Paymaster General and the First Commissioner of Works. Of the three remaining Commissioners two were at that time civilians, and one, he believed, a naval officer. The internal management and discipline of the hospital, the superintendence of the infirmary, wards, and schools, was intrusted by law to a body of officers, at the head of whom was the governor and under him the lieutenant-governor, assisted by a staff of officers consisting of fifteen gentlemen, all of whom belonged to the naval profession. The government of the institution was, he might add, a double government, and would, he thought, upon investigation, be found not to be free from the defects inherent in such a system. Those defects he understood mainly to be the absence of responsibility and occasional conflict of authority, and a general supineness of action. A Commission had in 1859 been appointed by the Crown to inquire into the management of the whole affairs of the establishment. That Commission had entered at great length into the inquiry, and had made one of the ablest and most carefully prepared Reports which had ever been presented to the House of Commons. The Report was presented to Parliament in the early part of 1860, and the recommendations which it contained might be summed up under four heads. The Commissioners recommended an entire change in the governing body of the Hospital, a material reduction in the staff of officers, a large reduction in the domestic establishment, with a view to its more economical and more efficient working, and lastly, that some provision should be made for the wives and families of pensioners. So impressed did the Government appear to be with the justice of these recommendations, that they introduced a Bill into each of the two Houses of Parliament in 1861, which embodied those recommendations almost in their entirety. On the back of the Bill which had been introduced into the House of Commons were the names of the noble Lord the Secretary to the Admiralty and his able coadjutor, Mr. Whitbread. The Bill which had been introduced into the House of Lords passed through several stages, and Amendments were made in Committee, but from that time to the present no more had been heard of that measure for amending the constitution of Greenwich Hospital. No one knew why it was withdrawn. The Bill, in the first place, provided that for the future the governing body should consist of two *ex officio* Commissioners, the Paymaster General and the First Commissioner of Works; the other three to be appointed by the Lords of the Admiralty, and to be called the Civil Commissioner, the Admiral Superintendent, and the Medical Commissioner. These appointments were to be made for five years, to secure that persons filling them should at all times be capable of fulfilling the duties attached to the office. At the end of that time these persons were to be re-eligible. The Bill further provided that the offices might be reduced in number. It effected a very important reduction in the staff of officers, which it provided should consist in future of one captain, one commander, three lieutenants, and such a number of warrant officers as the Lords of the Admiralty might think necessary. He was the more anxious to address his inquiries to the Government at the present moment on account of some recent appointments which were thought to be antagonistic to the Report of the Commissioners and the Bill of 1861.

It was possible that some misapprehension might exist as to these appointments, and, if so, it was desirable that the Admiralty should have an opportunity of explaining what reform they had effected. The first appointment to which he should refer was that of Sir Richard Bromley, who had been appointed second Civil Commissioner, although the Bill of 1861 provided, in accordance with the recommendation of the Commissioners, that there should be only one such officer. He admitted that Sir R. Bromley was an eminent and valuable public servant; but his services had been rendered not to Greenwich Hospital, but to the country at large, and he ought to have been rewarded out of the public treasury, and not out of the funds of the hospital. If he had retired from the public service on account of ill health, then he ought not to have been made a Civil Commissioner at Greenwich, an office which required to be filled by a person of good health and perfect efficiency. It might, however, be said that Sir R. Bromley had been sent to Greenwich as a reformer, to introduce necessary reforms and cut down expenses. If such were the grounds of his appointment, he could only say that the Government ought to have accompanied his appointment with such a change in the constitution of the hospital as would have enabled him to carry out those reforms which he was expected to effect. It was absurd to send any one to introduce reforms and leave him trammelled with the cumbrous machinery of the old system. They could not, therefore, look upon the appointment of Sir R. Bromley as that of a reformer, because he was encumbered by the double government spoken of and a machinery which Sir James Graham had said had never worked well since 1820. If that machinery did not work smoothly as at present constituted, was it to be expected that it would work any the better for the introduction into it of a new wheel that would travel at a greater amount of velocity than any wheel in the old machinery—for that was precisely the position of Sir Richard Bromley?

The next point related to the officers. The Report of the Commissioners recommended, and the Bill of 1861 provided, that the number of officers should be largely reduced; but that reduction had not been carried out, and the officers now occupied no less than one-fourth of the building, and drew largely upon the funds of the hospital. That was a question of great delicacy, and it was one upon which he wished to speak with some reserve, or rather deference for the strong professional feeling which existed on the subject. A relative of his own, indeed, had expressed to him a strong opinion on the matter; but he considered he was performing a public duty, and was not actuated by any private feeling in the course he was taking. He was aware that there was a strong feeling in favour of retaining Greenwich as a place of comfortable retirement for old invalided officers of Her Majesty's navy. He looked upon that institution in a different light. Of course, there ought always to be an efficient staff, but he thought that there was no necessity for so large a staff as one consisting of seventeen officers. At that moment they occupied one-fourth of the building, and drew largely on the resources of the hospital. He wished to do full justice to the claims of the officers, but he felt compelled to examine a little closely the grounds on which they based their claims. He thought, in the first place, that the officers appointed to Greenwich Hospital should be in such a state of health as would enable them to perform their duty. The claim of officers to admission to Greenwich Hospital as a place of retirement rested on this ground, that for a series of years a large payment was made out of the prize money into the chest of Greenwich Hospital. By the Act 46 *Geo.* III., passed in 1806, and by a subsequent Act of Parliament passed in 1814, those payments were made legal, or rather that portion of the prize money was ascertained by law for the purposes of Greenwich Hospital. It amounted in 1814 to £5 per cent, in 1806 to a less amount; but it might be taken for argument's sake that there was paid to the chest of Greenwich Hospital up to the year 1829 a portion of all prize money amounting to about 5 per cent. Without stopping to inquire whether that prize money could properly be considered the property of the officers, which he was not prepared to admit, he would only point out, that as these payments ceased in 1829, the numbers of those who had a claim to admission on that ground must be but small and rapidly diminishing. But if the claim of the officers to admission on account of that legal assignment was valid, he was prepared to set up another of which they had never heard a word in that House—namely, a claim on behalf of the merchant seamen. The House was, perhaps, not aware that by an Act of Parliament passed in 1695, in the reign of William III., sixpence per month was deducted from the wages of every merchant seaman and paid into the chest of Greenwich Hospital. Those payments had also ceased, but they ceased subsequently to the payment of the percentage on prize money. In 1835 the Consolidated Fund undertook the payment of £20,000, towards the funds of the hospital in lieu of the merchant seamen's sixpences. If therefore the officers' claims were valid on account of the payment of a portion of the prize money, the merchant seamen's claims were equally valid on account of the payment of their sixpences, and equal justice ought to be done to them. There was another very important consideration in reference to officers' claims, which was this. In 1728, exactly a hundred years before the payment of prize money into the hospital chest ceased, by an Order in Council a sum equivalent to the half-pay of all the officers employed in Greenwich Hospital was paid into the chest of the hospital, and applied to its purposes. When the Admiralty appointed officers to Greenwich Hospital, they actually paid it a sum equal to the half-pay of the officers; but since a very recent period, he thought 1840, or a little earlier, the officers, in addition to the salaries they received as officers in Greenwich Hospital, received their half-pay from the Crown. Greenwich Hospital did not gain that half-pay, as it did a hundred years back, but was obliged to pay salaries and emoluments to the officers besides losing their half-pay. He did not grudge the officers anything which the Crown might choose to bestow upon them, because any reward which our naval and military officers earned by long and distinguished services that House would cheerfully pay; and he would even go beyond that, and say that he thought it was the practice of the Government to reward our distinguished officers somewhat too niggardly; and if a proposition were made to increase those rewards, he believed it would be cheerfully acceded to in that House; but he objected to the Crown transferring its obligations to its own servants from the public treasury to Greenwich Hospital. That was the sum and substance of his objection to this large staff of officers being maintained out of the resources of Greenwich Hospital.

He would give the House an instance of the encroaching tendencies of public Departments, which were always apt to shuffle off on other shoulders whatever liabilities they could get rid of. In 1859, if he mistook not, while the Commissioners were still sitting, the Admiralty made a proposition to the Commissioners of Greenwich Hospital, to understand which it was necessary to remember that every pensioner on admittance to Greenwich Hospital relinquished all claim to pensions he might previously have enjoyed. The proposition of the Admiralty was, that the Commissioners should pay at once out of their surplus incomes to the in-pensioners half of their surrendered out-pensions, and eventually to the officers of the hospital as well their half-pay as their salaries. The Commissioners very properly replied that the proposed scheme would be a misapplication of the property held by them in trust for specific purposes of a great national charity. The proposition therefore dropped. He only quoted it to show how ready the Admiralty were to transfer obligations from the Treasury to Greenwich Hospital. The House had lately heard much of the propriety of taxing charities, but the proposal of the Chancellor of the Exchequer was met by such an outcry that he was induced to abandon it without going to a division. No proposition, however, that the Chancellor of the Exchequer had ever made and abandoned for the taxation of charities, approached in magnitude this sweeping proposal on the part of the Admiralty. He then came to another point. The Bill of 1861 adopted the recommendation of the Commissioners in respect to the reduction of the domestic establishment of the hospital; and without going into any long argument on that point, he would state that in the Report of the Commissioners of 1859 there was an instructive comparison of the cost of domestic management of the hospital in the years 1805 and 1859. At the former date the cost of maintaining 2,410 pensioners and 144 nurses, being widows, was £69,206 per annum. The establishment charges, including under that head the salaries of civil and military officers, clerks, servants, repairs, &c., in 1805 were £21,837 a year. In 1859 the number of pensioners, 1,676, was less by 30 per cent than the number in the former year, and the cost of maintaining them, together with 100 nurses and 71 sick attendants, was £50,910 per annum. That was £18,296 less than in 1805. But what did the House suppose were the establishment charges in 1859? No less than £48,667, or £26,830 more than in 1805. The Return proved that while the expenditure upon the individual pensioners had not increased during fifty-five years, and while the aggregate number of pensions had diminished 30 per cent, the cost of the establishment had considerably more than doubled. At the same time, owing to the admirable arrangements of the manager of the estates of Greenwich Hospital, who was emphatically the right man in the right place, the affairs of the institution had been immensely simplified; the cost, therefore, ought to be properly a great deal less. Under the Act of 1861 the Admiralty were empowered to make reduction without the necessity of further application to Parliament. But he could not discover in recent appointments that spirit of economy which the Act of 1861 seemed to promise. Certain offices had been filled up, the occupants being permitted to retire, although these officers, if not absolutely condemned, had received the negative praise that their salaries were in an inverse ratio to the duties they were called on to perform, and that these duties were generally performed by deputy. The chief civil officers of the Hospital are the Secretary, Steward, Cashier, the Clerk of the Check, and the Inspector of Works; the Steward has under him five clerks, two mates, and the brewer. Lately the cashier retired on a pension of £600 a year. The steward, a paymaster, was made cashier, at a salary of £500 a year and half-pay, with an establishment of five clerks, two men servants, and a brewer. A new steward, an Admiralty Secretary, was appointed at a salary of £500 a year, £219 half-pay, and lodging money at the rate of three guineas a week. He might observe, that if the number of officers were reduced, a large amount of lodging accommodation would be available for those officers to whom lodging money was paid.

With regard to the internal management of the Hospital, about which the Admiralty might proceed *proprio motu*, without requiring the authority of Parliament, he wished to ask what were the intentions of the Admiralty with respect to the wives and daughters of the pensioners. Whatever tardy reforms the Admiralty might intend to effect, the long continued neglect which had been shown to the female relatives of the pensioners would remain as a blot and reproach upon the administration of Greenwich Hospital. He believed that no one would venture to contradict that assertion. He did not wish to throw blame upon the present Board of Admiralty, because he believed they had already done more for the hospital than any preceding Board, and, if rumours were correct, they were prepared to do still more; but he would say that it was a most scandalous shame that from the foundation of the hospital up to that year, 1863, the condition of the wives and daughters of the seamen should have been wholly ignored. He would not rest upon his own authority, but would quote from the Report of the Commissioners, who said—

> "The wives of pensioners are wholly ignored, and their circumstances are deplorable. They are consigned to extreme penury and wretchedness, and in some instances become chargeable to the parish. In 1841 the school for girls, a portion of the lower school, was abolished, and it was said no provision was made in its stead, and we have learned with regret that in consequence of that omission the class of unfortunate females who haunt the purlieus of Greenwich are largely recruited from such children."

He hoped that that state of things would no longer be allowed to continue, and that the House would that night receive an assurance that the unhappy condition in which the female relatives of the seamen were left would be redressed. He knew, of his own knowledge, that much had been done of late in an indirect way. The pensioners of the first class received 5*s.*, of the second 4*s.*, and of the third 3*s.*, instead of the miserable shilling a week which before was to be applied to the maintenance of their wives and children; but still the margin was not very large, and there was no direct recognition of the women. They were altogether ignored. By the Act of Anne express provision was made, or intended to be made, not only for the widows, but the wives of the pensioners. The House would hear with astonishment that the pensioners were forbidden to marry. He had himself entered into conversation on the last occasion on which he was at the Hospital with one of the most respectable old seamen he ever saw, who was engaged in reading the Bible at the time. Having asked the old man whether he was married, he replied, "That is a painful subject. I have lost my wife, but I should have too much respect for her, if she were alive, to bring her in here." That spoke volumes in condemnation of the management of Greenwich Hospital. There might be difficulties in the way of making suitable provision for the wives of the seamen in the hospital, but it was the duty of Government to overcome those difficulties. Much had been said about the improvidence of sailors; and as long as they were neglected they were improvident, and when they came on shore, with plenty of money in their pockets, became the prey of crimps and rogues. But modern humanity and good sense had provided sailors' homes and savings banks, and the sailor had been found to show that he valued those establishments. If, in like manner, Government would make a proper provision for the wives of the old sailors it would have a great moral effect, and would induce the very best class of men to enter into the navy.

With regard to the practical part of the question, three plans were suggested by the Commissioners. One was to make arrangements for the reception of a hundred families within the walls, by the erection of a number of cottages on some vacant ground contiguous to the Hospital. He trusted that recommendation would not be adopted, because it would not be consistent with discipline and good order to introduce the wives and families of the sailors within the walls. The second proposition was to adapt, at a cost of £6,000, some house property in Greenwich which belonged to the Hospital for the accommodation of a certain number of families. And the third recommendation was that lodging-houses should be erected for a hundred families, at an expense of £17,000. A meeting had been held lately in the City for making provision for the better lodging of the working poor of the metropolis, and one gentleman, who had paid most attention to the subject, calculated that a block of building capable of containing twenty families could be erected for £2,300. If that were so, he thought that for about £12,000 a block might be built capable of containing a hundred families. It would be an experiment; and if the experiment succeeded, it might be carried further. A sum of £12,000 would not be too much to expend in carrying out the views of the founders, in raising the standard of the navy, and in doing a simple act of justice to men who expended their blood in the public service. He desired to ask the Government, Whether it was their intention to introduce any Bill based upon the recommendations of the Commissioners; and, if not, whether they were prepared by regulations to make those important alterations and additions to which he had called attention?

Mr. STANSFELD said, that there could be no doubt in the mind of any hon. Member of that House of the interest and importance of the question which the hon. Member for Northumberland had introduced to their notice; and, for his own part, he could say that he rejoiced that, after many delays, the hon. Member had at length found an opportunity of calling the attention of the Government and the House to the subject. The hon. Member had referred, with a good deal of detail, to the Report of the Commission of 1860, of which his right hon. Friend the Vice President of the Board of Trade was Chairman, and he agreed with the hon. Member in thinking that that Report was a most valuable document. It was a copious, voluminous, and a bold Report; and if he were to define in one word its leading merit and principal characteristic, he should say that it was eminently a suggestive Report. Many of the suggestions which that document contained had guided the Board of Admiralty in the improvements which the hon. Gentleman admitted to have been introduced; but he was not prepared to say that the Admiralty was ready to accept, in all its entirety and detail, every one of the multitudinous suggestions in that valuable and able Report. The hon. Member had referred specially to many of the suggestions, and had spoken first of the proposed remodelling of the governing body of the hospital, which, in the opinion of the hon. Gentleman, and also in the opinion of the Commissioners of Inquiry, would be calculated to improve its efficiency, and lead to economy in the management of the hospital. The hon. Member had alluded to the condition of the wives and families of some of the pensioners, and he had touched on the claims of the widows, not of pensioners, but of seamen who had lost their lives in the service of the country. He was prepared on each and all these topics—and he was glad that the opportunity had arrived of so doing—to give to the hon. Member and the House an explicit answer on the part of the Admiralty, for the purpose of showing how far that

Board agreed in the conclusions of the Report, and to state, with equal candour, where it was that, at least for the present, the Admiralty felt bound to stop.

Before he went into a discussion of the practical grievances, and of the remedies which had been applied, or which still remained to be applied to them, he wished to remark that there were two preliminary questions, which the hon. Member also touched upon, and to which he desired in the first instance to address himself; because the view which persons might take of those preliminary questions would necessarily very much affect their conclusions when they came to the consideration of the recommendations made by the Commissioners of Inquiry. The first of those two questions was—what was the scope and original intention of this great national institution, Greenwich Hospital, and of its founders, and how far had that original intention been departed from? The second question was, how far the encroachments of the military establishment, more especially of late years, had diverted, or, as the phrase was, perverted, the funds of the institution from its original and legitimate object.

Now, in dealing with these questions, the Admiralty had no desire except to have the facts clearly brought out. His impartiality would be shown by his strengthening instead of weakening some parts of the hon. Member's case. The first document with which they had to deal was the charter of William III. in 1694, the preamble of which set forth that the hospital was to be instituted

> "For the relief and support of seamen serving on board the ships or vessels belonging to the navy royal, or employed in our service at sea, who by reason of age, wounds, or other disabilities, shall be incapable of further service at sea, and be unable to maintain themselves, and for the sustentation of the widows and the maintenance and education of the children of seamen happening to be slain or disabled in such service."

Two years afterwards was passed another Act which, while it gave the merchant seamen's sixpences to the chest of the hospital, extended the benefits of the institution as far as possible to every seaman registered for sea service and disabled by age or otherwise, and to "the widows and children of such seamen as were slain, killed, or drowned in the sea service." He admitted, therefore, that the hon. Gentleman was right in saying that merchant seamen had originally a claim to participation in the advantages of the hospital. Then came the statute of Anne, in 1703, for the increase and better management of navigation, and especially of the coal trade, which did away with the condition that seamen must be registered, and placed it in the absolute discretion of the Lord High Admiral to admit within the walls of the hospital "any disabled seamen, their wives and children, and the widows and children of seamen slain, killed, or drowned in sea service." In that Act, for the first and only time, was mention of the wives of seamen as participators in the charity. These Acts and deeds were previous to the opening of the institution, which did not take place till 1705, and their object was very wide—much wider than could now be contemplated or recognised. They were intended, not only to afford succour to the seamen of the navy, but to promote navigation, and to provide for the service of merchant vessels, and even of the coasting trade. These, however, were objects which had passed away with the change of ideas in modern times. The true construction to be put on the old Acts and deeds was, in his opinion, that the founders of the hospital deemed it desirable to extend the scope of the foundations as widely as possible, leaving it to the discretion of the Lord High Admiral to decide, with reference to the claims upon the institution and its funds, how far within the limits they prescribed the benefits of the institution could be spread, and to regulate the priority of claims.

The second question to which he had referred—as to the encroachments of the military establishment—was one of facts and dates. In 1704—the year before the hospital was opened—the office of governor was created, and a lieutenant-governor, one captain, and two lieutenants were appointed. In 1705 another lieutenant was added, and there were then 100 pensioners and six officers on the establishment. In 1728 there was an accession of one captain and one lieutenant, giving eight officers to 450 pensioners. In 1748 two more lieutenants were added, making ten officers to 1,000 pensioners. In 1753 another captain was added, when the proportion was eleven officers to 1,300 pensioners. In 1763 two lieutenants were added, and the numbers then were thirteen officers and 1,783 pensioners. In 1767 the number of pensioners was the same, but there was one more captain, making fourteen officers in all. From that date down to 1840 no change was made in the establishment. In the latter year a Commission sat upon the naval and military hospitals of the country of which the late Duke of Wellington was a member. That Commission reported that commanders had some special grounds of complaint that no provision was made for them in the hospital, and accordingly four commanderships and two masterships were added to the military establishment, and in 1840 the establishment had been increased to its maximum of twenty officers. In the present year two lieutenants and one commandership had not been filled up by the Board, and the number of officers was therefore reduced to seventeen. There was undoubtedly in the old Charters and Acts something approaching to a recognition of the claims of the officers. The Charter of George III., in 1775, provided that all officers employed in the hospital should be seafaring men. In the Act of 1829, under which the institution was governed, it was directed that all officers, save the Commissioners and the Clerk of the Works, should be selected as far as possible from persons who had served in His Majesty's navy. The strongest evidence of something like a statutory recognition of those claims was in the Acts passed in the reign of George III. In the 3rd year of George III. an Act was passed, authorizing the governors to pay out-pensions to seamen whom they could not or did not receive as inmates; and in 1806 another Act was passed to enable them to extend the same system of out-pensions to officers as well as men. Considering the fact that the hospital possessed something like a military establishment even before its doors were opened, that that establishment grew with the growth of the institution which it had to manage, and that it had received Parliamentary recognition, he thought the claims of such a class of men were not to be lightly dealt with or set aside. He further maintained that these officers had a solid ground for consideration in their contributions to the capital fund of the hospital. The officers of the navy had, from the first, contributed the monthly sixpences as well as the men. They had contributed indirectly in the shape of 5 per cent upon prizes, and they had contributed that fourth of certain freightages which was given to the hospital in 1819, and which would otherwise have fallen to their share. He did not wish, however, to be understood as carrying this argument too far. He was aware that these considerations left intact the question whether the appointment of disabled officers, perhaps infirm from age or wounds, was the best system of government for the institution. That was a question to be treated on its own merits, but meanwhile it was right the House should know, before they came to discuss the constitution of the governing body of the hospital, that there were claims of meritorious and deserving officers which would have to be taken into account.

He desired, in the next place, having disposed of the two preliminary questions, to make some statements with respect to the improvements which had already been carried into effect, and his wish to do so was the greater because the introduction of those improvements was due to the almost too great and self-sacrificing labours of his hon. Friend the Member for Bedford, who, in consequence of those labours, unfortunately was, he trusted only for a short time, compelled to retire from the service of the country. Since the advent of the present Board to office, and the publication of the Report of the Commissioners, the following offices had been reduced:—One inspector of works, one dispenser, two matrons, with vacancies kept up for one commander and two lieutenants. The saving thus effected amounted to £1,844 a year, besides the cost of the apartments which would otherwise be occupied. With respect to all future appointments, the old allowances in lieu of coals, candles, faggots, and soon, were to cease, by order of the Board—a regulation to which the recent appointment of Sir Richard Bromley was made subject.

He would next state what had been done to increase the benefits enjoyed by the inmates of the hospital. As his hon. Friend had mentioned, the weekly allowance to the pensioners had been increased from 1*s.* to 3*s.*, 4*s.*, and 5*s.*, according to a system of classification. That additional gratuity to the men, which had been given to them in the hope that it might reach their wives, had been bestowed at an annual cost of £10,000. Complaints had sometimes been made about taking the allowances from the pensioners while on leave of absence. Under a recent regulation any pensioner could take four days' leave of absence at any time, and once a year he was entitled to a leave of six weeks, during which he had the value of his weekly provision money to use while absent from the institution. The widows of seamen employed in the hospital were, he might remind the House, as much pensioners as the men themselves, and the maximum of their superannuation allowance had been raised from £10 to £25. An immense improvement had been made in the school. A new wing was in course of construction, with lavatories, baths, and all conveniences. The class-room accommodation had been increased, and measures had been taken to afford sufficient breathing space in the dormitories. Beyond all this, the Board had absolutely relinquished the whole of the patronage which they formerly possesed in the appointment of boys to the school; and the boys, whether the sons of officers or seamen, upon one and the same footing, were selected for admission by a committee on the spot, under regulations which represented fairly the spirit and intention of the old Charters and Acts. The same remark applied to the regulations for the admission of seamen and marines.

He was not there to say that the expenditure upon the establishment of the hospital might not be reduced. It was his opinion, as soon as he began to look into the question, and that opinion had not been shaken by further inquiry, that the expenditure upon the establishment might be, could be, and ought to be reduced. But it was hardly fair to institute a comparison of cost between 1805 and 1859, in the method which the Commissoners had adopted. A truer comparison would be between the salaries and allowances in 1805 and the salaries and allowances in 1859. In the former year they were £14,000; in the latter, £23,000. The difference between those two sums—£9,000—was the real measure of the encroachment of the establishment upon the revenue of the hospital. But something was got for that increase of charge. The increase was not upon the military part of the establishment, where the addition was limited in extent, but on the civil branch, for secretaries, clerks, and so forth. At least, therefore, something was gained in the purchase of provisions and comforts for the inmates, for the irregularities which obtained before the passing of the Act in 1829 were no longer possible. In the comparison of establishment charges which had been made—those in 1805 having been £21,000, and in 1859 £49,000—he would omit £9,000 out of the difference of £28,000. But the relative expenditure upon works and repairs in the two years must be taken into account. It was not fair to take two years, and if in one the cost of repairs was £3,000 and in the other £10,000, to assume that establishment expenditure had increased to the amount of £7,000. Then there was an increase in the rates of Greenwich Hospital to the amount of £1,000, and the remainder of the increase—some £10,000 or £11,000—was to be attributed to the increase of wages. In admitting so much, some hon. Members might imagine that he admitted the weak point in the management of the institution. Certainly, when he first called for Returns from the hospital, nothing surprised him more than to find, that with a complement of some 1,600 pensioners, the number of persons receiving wages was upwards of 500. But the explanation was very simple. These wages were really pensions in another form, and the persons who received them were either the pensioners themselves—292 were pensioners — or the wives, but mainly the widows, of seamen, who, it was felt, were intended to share, in some degree, in the benefits of the institution. Such was the explanation of the difference in the expenditure of the two years.

Then his hon. Friend had referred to the Bill brought in two years ago, changing and modifying the constitution of the governing body of the hospital, and had asked what were the intentions of the Admiralty upon that subject, and whether it was proposed to re-introduce that or some similar measure. Now, he was not there on behalf of the noble Duke at the head of the Board to withdraw the opinions which he expressed on introducing that measure; but in the House of Lords and in that House the measure did not meet with a very favourable reception. [Mr. LIDDELL: It was not discussed in this House.] That was perfectly correct, but the probable reception of a measure was to be tested by what was heard there before it came on for formal discussion; and the Bill in question was not received in such a way as made it advisable to press it. The Board of Admiralty, therefore, came to the conclusion, that having considerable power of reform already vested in themselves, it would be well to proceed by degrees, and endeavour to ascertain practically, in the first instance, to what extent they might themselves accomplish reforms and improvements before they came to Parliament for new powers.

Then his hon. Friend said that the appointment of Sir Richard Bromley was in the teeth of the Report of the Commission. Now, in the opinion of the Board, the appointment was in the very spirit of the recommendations of the Commissioners, and it was made with the object of carrying those recommendations practically into effect. In their proposed construction of the governing body of the Hospital, the Commissioners recommended the appointment of a Finance Commissioner; and who more fit to be placed in that position than a gentleman who had been for many years Accountant General of the Navy, and whose energy and abilities and financial experience were so well known to that House and to the public? He had before him the Board's letter to the Hospital Commissioners, notifying to them the appointment of Sir Richard Bromley, and he would invite attention to the terms of that letter—

> "The Queen having been pleased to appoint Sir Richard Maddox Bromley one of the Commissioners of Greenwich Hospital, I am to draw your attention to paragraph 7 in the recommendations of the Report of the Commissioners on Greenwich Hospital, 1860, and I am to express a hope that from the experience and abilities of Sir Richard Bromley the finance department of the Hospital may derive all the advantage looked for by the Royal Commission."

Sir Richard Bromley had accepted the office upon these terms, and was pledged as far as might be to fulfil the expectations implied in the very terms of his appointment. His energy and abilities were known, the reputation which he enjoyed was known, and they might entertain a confident expectation that he would be wishful to maintain and increase that reputation.

As to the condition of the wives and families of pensioners, he agreed with his hon. Friend, that even if the Admiralty were not strictly responsible for the circumstances and conditions of life of these families, these things did constitute a slur upon that great national institution. Suggestions had been sent down for the consideration of the Commissioners and of the military establishment. These had been returned with the annotations of the Commissioners. The matter would shortly be determined in all its details—and he could assure his hon. Friend that in the shape of some increased weekly allowance to the married men, and also by some provisions and regulations to secure, as far as could be secured, the proper application of that increased allowance, they hoped to be able to accomplish some good in this direction. Then there was the case of the widows. The Board were of opinion, that, next to the wounded seamen, there could be no class of persons, whether the terms of the original Charters and Acts or the intrinsic merits of their claims were taken into account, who had more urgent claims for some benefit from the hospital than the widows of men who might have lost their lives in the service of their country. Objections referred to by his hon. Friend existed to the admission within the walls of the institution of wives and widows as well as the men. The Admiralty had therefore thought it preferable to try to make some provision for them outside. To enable the Board to do that, they would have to come to Parliament for powers, and it would be his duty, in the course of the next week, to ask leave to introduce a Bill in order to carry these proposals into execution. He trusted that his answers had not been entirely unsatisfactory to the House. He was quite aware that more ambitious and larger schemes had been proposed and discussed; but he could not accede to the policy of the course suggested. In his opinion, it was infinitely better that the man who, whether by his own labour or that of his wife, or by the assistance of his friends, was enabled, in addition to whatever out-pension he might possess, to gain sufficient for a comfortable, although it might be a humble, maintenance in the locality of his birth, or some place with which the associations of his life were connected—it was infinitely better that such a man, for many reasons which would suggest themselves to the House, should be so situated, than that he should be pensioned within the walls of the institution. Greenwich Hospital was an hospital which should be devoted to the accommodation of the infirm, of the really disabled, and of those who required those special comforts and attentions which they could not be expected to command in their own more modest homes. He could not therefore accept those more ambitious schemes to which he referred. He objected to them, too, because he found them to be financially unsound. They were based on the notion of a very large increase of expenditure, as well as of a very considerable augmentation of income. But how, let him ask, was it proposed to increase the expenditure and the income of the hospital. It was suggested that the out-pensions saved to the country should be paid over to the funds of the institution, while the scheme was, in the next place, based on a problematical saving of £20,000 a year; and lastly, on an elimination of the annual surplus which at present accrued. Now, there was a surplus, the amount of which was somewhat exaggerated. It was applied, in the first place, to an insurance fund, while there was, in the second place, a mining fund; but any hon. Gentleman who was at all acquainted with the matter must be aware that mining profits did not endure for ever. It was therefore simply a question of prudence to make provision for the day when those mines should be exhausted. Besides, there was annually a certain surplus which he trusted would be available for the purposes to which he referred. Now, bearing in mind what, after all, was the main object of the institution—to provide for a state of war—he maintained that in time of peace the resources of the hospital should not be taxed to their utmost or frittered away; so that, when war did unhappily arise, the building might be ready and funds at hand to accommodate those men who might have suffered in defence of the honour and safety of their country. He acknowledged the justice of the claims which his hon. Friend had brought under the notice of the House, and the Government would not fail to endeavour cautiously, but perseveringly, and without delay, to give them some practical effect.

Sir JOHN PAKINGTON said, he thought the time of the House was well occupied in discussing the interests of the noble charity under discussion. He had listened, he might add, with great pleasure to the speech of the hon. Gentleman who had just sat down, who had shown that during the short time he had occupied his office, he had made himself master of one important question connected with the duties of his department. He was particularly gratified at learning from the hon. Gentleman that it was not likely the Bill of two years ago would be re-introduced. The description of the feeling which then prevailed with regard to that Bill was well described in the speech of the hon. Gentleman, as the measure was received with distrust, and it appeared to him (Sir John Pakington), that the course which the hon. Gentleman had announced on behalf of the Admiralty was a more prudent one than if they made another attempt at wholesale legislation. For his own part, he was not at all disposed to deny that reforms in Greenwich hospital were necessary. It was, no doubt, very desirable that a reduction should be effected in the establishment, and that the management should be as far as possible be rendered more economical; but he, at the same time, saw no reason why, under the powers conferred by the Act of 1829, it was not perfectly feasible to carry out those reforms, without having recourse to additional legislation. He wished to speak with respect of the abilities and industry of the Royal Commissioners. He felt that it was with some hesitation that he differed from the recommendations of one of them—his hon. and gallant Friend who sat near him (Sir John Hay). But he confessed he should be sorry to see all of them carried out. There was one part of their Report, however, on which the hon. Gentleman had not touched—namely, that pointing out the difference which had prevailed at Greenwich between the civil and military authorities. Those differences he regarded as a great misfortune; indeed, they were more—they were a scandal. The evil was one, nevertheless, which might be easily removed. He was disposed to think, that if the Governor of the Hospital were made a really useful member of the establishment, and were appointed one of the Commissioners, all the inconveniences which arose on that score might be obviated. Holding that opinion, he disapproved of the proposed arrangement, which seemed to him most absurd, to turn the office of Governor into a mere useless sinecure. It was a far wiser and more simple plan to make the Governor a Commissioner, and to appoint to the office a naval officer of high rank. The appointment of Sir Richard Bromley was a great improvement on the previous state of affairs. It was impossible for the Government to have filled up the office of Commissioner better than they had done by that appointment. He (Sir John Pakington) had seen with deep regret the remarks in the public prints reflecting on that appointment. It had been lost sight of, that this able man lost his health from the arduous work which he had in the service. He was, therefore, glad to hear the generous terms in which the hon. Gentleman had spoken of the past services of that gallant officer. He was able, from personal knowledge, to bear testimony to the fact that Sir Richard Bromley's health had completely failed some years ago, from his long-continued exertions in the discharge of his public duties. It was in 1858 that his health broke down, and at that time it was his

(Sir John Pakington's) duty, to grant him a lengthened absence from duty; and when he did so, he feared that he would not return to active life. He was sorry that the arrangement made by the Government was not a more liberal one. Considering his length of service, it would have been more generous if he had been allowed full pay in addition to his salary as Commissioner. The point to which he was most anxious to refer, was a recommendation of the Commissioners with which he could not agree, and which, he was sorry to say, had been distinctly embodied in a Bill introduced by the Government two years since. He referred to the recommendation "that no commissioned officer of the navy be admitted into the Hospital except in an administrative capacity." He thought that to act upon such a recommendation would be most ungracious. The hon. Gentleman the Member for Halifax, in his able speech, had traced with clearness and accuracy the history of the Hospital, and had shown that from the commencement officers had been admissable to the benefits of the institution. In the year of the foundation of the Hospital, 1704, one of very nearly the first admissions was that of a disabled lieutenant in the navy; again by the Charter of 1775, again in 1809, and again in the recommendation of the Committee of 1840, over which the Duke of Wellington presided, the same principle prevailed, that naval officers should share the benefits of the charity. After the observations of the hon. Gentleman, he could not but hope that the noble Duke and the Board of Admiralty had reconsidered that part of the subject, and were not disposed to act upon the recommendation. He had been sorry to hear that the vacancies among the officers had occurred, and were not yet filled up, and he would wish to know whether it was intended not to fill them up. It must always be borne in mind, that the officers of the navy had largely contributed to the funds of the Hospital by freight money and prize money, and therefore he hoped that the benefits of the institution would not be confined absolutely to seamen. He admitted that reforms were necessary, and that increased economy was also necessary. A Return moved for by the late Mr. Pugh, some years ago, showed that at that time, the expense of the inmates did not exceed £40 a man, whilst now that expense was increased to £59 a man. That certainly called for inquiry and correction; but he believed that the Admiralty had full powers to cure these evils without having recourse to legislation, and he hoped that they would exercise those powers.

SIR JOHN HAY said, that, as one of the Commissioners appointed to inquire into the government and condition of Greenwich Hospital, he was desirous of stating the grounds upon which they made and still adhered to certain recommendations they had embodied in their Report, and which were objected to. And first, he would allude to the necessity for legislation. The evil which met them at the outset, in connection with Greenwich Hospital, was the continual and incessant squabbling between the civil Commissioners and the military Commissioners who formed the double Government of the institution. All the evils existing in that institution—and they were not a few—were clearly traceable to that double government; and he was informed that an Act of the Legislature would be necessary to get rid of that double government. For that purpose, the Commission thought that there should be legislation; but the remainder of the Commissioners' recommendations could, he believed, be carried out by the Board of Admiralty without the interference of Parliament. A change in the mode of government of the Hospital was absolutely necessary, and in that opinion the Commissioners were fortified by high authority, including that of the late Sir James Graham, who disapproved of a Board of civil officers, but considered that a re-construction of the governing body was necessary, and thought a civil Commissioner, acting with the Governor, and perhaps the medical officers, would form a suitable governing body. He (Sir John Hay) concurred in all that had been said of the great merits of Sir Richard Bromley, and thought that he would be an excellent civil Commissioner. One disadvantage arising from the present double government was, the great expense entailed upon the Hospital by it. Excluding the charges of building, he found the present charge for managing the establishment of the Hospital, not including the allowances to pensioners, was £47,704 upon an income of £158,000. The proposal of the Commissioners was, he thought, reasonable, as, after deducting £5,000 for building and other similar purposes, they proposed to allow £26,973 for expenses of management. This reduction of expenditure, to the extent of nearly £25,000 a year, could be easily arranged, merely by not filling up vacancies when they occurred.

There was an excess of Commissioners and of military government; and although certain appointments had not been filled up, there had not been that reduction in the expense which the Commission had recommended, and actually showed how it could be made. He would not go at length into the items of wasteful expenditure in the matter of the establishment; but this he would say—there were certain officers to which the hon. Member for Northumberland (Mr. Liddell) had alluded—the Steward, the Clerk of the Check, Cashier, and Secretary—four civil officers who were supposed to have something to do—but when the Commission were at the Hospital, they found that the three first named had nothing to do, for they did their duty by deputy. He would read to the House an extract from the evidence of one of these officers, in which he stated that the clerks were perfectly competent to perform all the duties, and that he did not see why the officers themselves should be retained. [The hon. and gallant Member, having read the evidence proceeded:] The Commissioners did not wish to be hard on those officers, who had, no doubt, done good service in their time; but they thought Greenwich Hospital was not the place where Navy Paymasters ought to receive their pensions. One of these officers had since retired on full pay, and his place had been filled up; another had died, and his place also had been filled up. He had nothing to say against the selection that had been made; one was secretary to the late Lord Lyons, and another secretary to Sir Houston Stewart, who had performed most valuable services in the Black Sea and elsewhere. He did not object that these gentlemen should be duly rewarded for their services; but what he thought and what the Commissioners thought was, that they should be rewarded from the funds of the country and not from the funds of Greenwich Hospital. The surgeons of the navy were surely as deserving of pensions as the civil officers, yet they were only appointed to Greenwich Hospital for five years, no doubt under an impression, that if they became unable themselves to do duty, their clerks and apothecaries could not so well supply their places; but in other departments, because the duty could be got done without any great particularity as to the way in which it was performed, officers were allowed to remain until they were quite incapacitated for the proper discharge of their functions. Hon. Members would find in the Appendix to the Report many facts stated which strongly corroborated the conclusions at which the Commission had arrived. It had, for instance, been ascertained that there were in the workhouses of this country 1,100 seamen who had served some thirty and forty years in the navy, who were entitled to admission into Greenwich Hospital, but who could not be admitted, owing to the overgrown nature of the Hospital establishment. He would never believe that it was the intention of the Royal Founder of the Hospital that 1,100 seamen should be maintained in the workhouses while one third of its funds were expended in its management. As a naval officer, though with some feelings of regret, he was obliged both to suggest and concur in the scheme of the Commission. What they did object to was, that under the pretext of performing military duties, officers were appointed who from their state of health could not perform them, yet received comforts and maintenance at the public charge. A good deal had been said about freight, but he did not see how captains and commanders in the navy could be said to contribute from their funds a proportion to give them a claim to be maintained at the expense of the Hospital. He would not further detain the House. The subject had received most ample discussion. He trusted, if a Bill were necessary to alter the government of Greenwich Hospital, Her Majesty's Ministers would propose a Bill with that view; and if the other reforms indicated could be carried out by the Board of Admiralty, no time would be lost in making them. With regard to the sinecure office which his Colleagues and himself had been accused of having established, they found that from the commencement of the Hospital there had been at its head the officer who was held to be of the greatest eminence in the profession. His colleagues and himself felt that it would be to the honour and dignity of the Hospital and the profession that that should continue, especially considering the distinguished character of Sir James Gordon, now holding that office; and that was the sole reason why the recommendation had been made.

MR. BRISCOE said, he concurred in thinking that great reductions could be made in the expenditure of Greenwich Hospital, and he was glad to hear that they were likely to take place. The House was indebted to the hon. and gallant Gentleman who had just sat down for much valuable assistance he had given on the subject to the country. In visiting Greenwich Hospital he was surprised to find that the cabins of the seamen had only four instead of eight beds, and this was the more painful when they remembered the fact that 1,100 sailors were found in the workhouses of the country He was also glad to hear that an increased allowance was to be made to the wives of the pensioners. He did not, however, find any reference made to the establishment of a girls' school for the children of the seamen. That he much regretted, because he believed it was to the absense of such a school much of the immorality of the streets of Greenwich could be traced. If the noble Lord should not propose the establishment of such a school, he (Mr. Briscoe) should feel it his duty at some future time to take the sense of the House upon it. He should like to be informed whether the £120,000, advanced on mortgage to the Commissioners of the Exhibition of 1851 in the year 1860 was still unpaid ?

Mr. ANGERSTEIN said, he thought that much of the dissension which had occurred between the Commissioners and the governing body of the hospital was to be traced to the appointment, during the administration of the late Sir Robert Peel, of a naval Commissioner. The increase of the expense, which had risen from £40 per man in 1849, to £60 per man in 1859, was the result of the Admiralty Order of 1852, by which it was directed that no man should be admitted to the hospital but men who had served in the Royal Navy for ten years. There was not, of course, an indefinite number of such men, and the number of pensioners fell from 2,710 to 1,600.

Mr. INGHAM said, that the words of the early Acts of Parliament clearly showed that it was intended that the benefits of the hospitals should be enjoyed by seamen and by seamen alone. He should like to know whether the further provision which was contemplated by the Government for the wives of seamen would include the erection of homes, and he hoped that some arrangement would be made by which seamen who resided in the country, and were candidates for admission to the hospital, might be spared the expense of coming to London to be examined.

Lord CLARENCE PAGET said, that the question had already been so ably discussed, especially by the hon. Gentleman who introduced the subject, and by his hon. Friend the Civil Lord of the Admiralty, that he should confine himself to giving explanations upon a few points connected with the management of the hospital which had been referred to. He was not prepared to say, nor did he think that any one who had studied the old Acts and charters would say, that it was originally intended that officers of the navy should participate in the benefits of the institution as pensioners ; but from the very foundation of the Hospital it had been the practice that they should do so, and it would be extremely unjust to deprive them of advantages which they had so long enjoyed. Indirectly, officers of the navy had paid towards the institution as much money or more than represented the capital of the cost of the military establishment at Greenwich. The cost of that military establishment was only eight thousand odd hundred pounds a year ; and his hon. Friend wanted to reduce that really small sum by cutting off from the establishment a certain number of old and crippled naval officers, who, in spite of their infirmities, were still able to attend to the discipline and see to the cleanliness and comfort of the men. The House must remember the case of Captain Aldham, who was nearly murdered between the coast and the town of Mexico. Was it to officers like him they would grudge a position in Greenwich Hospital ? No doubt the civil establishment was large and costly, but his hon. Friend the Member for Halifax had entered into minute detail, and shown that in many respects the cost of that establishment was exaggerated out of doors. It must be remembered that a great many of those employed in the civil branch were officers in the navy who had served the country long and faithfully ; some were pensioners who were doing the duty of nurses and servants in the hospital, and widows of seamen were likewise reckoned. If Greenwich Hospital were treated solely on economic principles, and not regarded as one of the ancient institutions of the country, it might as well be done away with. It was like the Temple of Janus, and might almost be closed in time of peace. It should be remembered, however, that it was called into existence immediately after the great naval battle of La Hogue, with the object of finding a home for the vast number of poor crippled sailors who then returned to the country ; and if a European war ever occurred, it would probably be speedily filled with crippled men. The pensioners now in the hospital were generally the men who had served in the navy from the end of the long war to the year

1830. Those were days of economy, when the navy only consisted of about 27,000 men, and consequently the applications for admission in the present day were very few. But let it be remembered that the navy now amounts to 76,000 men, and we have in addition 16,000 Royal Naval Reserve men, who are entitled to the benefits of Greenwich Hospital, and therefore in all probability the demands on the Hospital will greatly increase. It was said that 1,100 seamen were in the different workhouses, who ought to be enjoying the benefits of Greenwich Hospital; but he maintained that every sailor who had served faithfully in the navy knew perfectly well that he had only to present himself and be admitted. In reply to the question put by his right hon. Friend he would say that the noble Duke at the head of the Department did not think it necessary, as a matter of constant practice, to keep all the vacancies for naval officers filled; but if a case like that of Captain Aldham arose, of any one injured in the service to whom it was an object of importance to gain admission to Greenwich Hospital, the claim would certainly be considered. It was not, however, the intention of the Admiralty at that moment to fill up those vacancies. As regarded Sir Richard Bromley, he thought any reward which could be given to that most excellent, most able, and industrious old servant of the Crown would be well deserved. Her Majesty's Government, giving due consideration to his services, in placing him now in the same position in all respects which he had hitherto held as regards his pecuniary allowances, did only what they believed to be just and right. He trusted the appointment of that distinguished officer to Greenwich Hospital would tend to the reduction of expenditure in that institution, which hitherto he could not contend for a moment had been managed with a due regard to economy. The Government had chosen a most able and fitting instrument for the purpose, and he rejoiced in the appointment of Sir Richard Bromley to that office, although personally he regretted the loss of his services at the Admiralty, where he had brought the naval, the dockyard, and shipbuilding accounts into a correct and satisfactory state. His hon. Friend, who referred to the daughters of seamen at Greenwich, was probably not aware that a school for fifty girls already existed. It was no doubt capable of improvement, but the boys' school was everything that could be desired. He trusted that the Bill, which his hon. Friend had intimated his intention to bring in next week, would meet with the approval of the House of Commons.

MR. ALDERMAN SALOMONS said, that claims for admission to Greenwich Hospital were one thing, rules of admission another. He knew a case of a seaman nearly eighty years of age, who had served twelve years in the war, been in several actions, and always borne an excellent character, who had actually paid for twelve or fourteen years, but not long enough to entitle him to a pension, and who, by the rigid rules of the establishment, could not procure admission to Greenwich Hospital.

MR. LINDSAY said, the hon. Member for Halifax had paid a deservedly high compliment to the Report of the Royal Commission; but his speech, nevertheless, was an argument throughout against the recommendations of that Report. The Admiralty had done nothing towards carrying out the views of the Commissioners. They actually stood up for the unnecessarily large and inefficient establishment, which the Commissioners condemned as having been created out of revenues never meant to be applied to such purposes. It was said that those who were excluded from the benefits of the hospital would be admitted if they could show their title; but it was impossible they could be so, because a great part of the funds were misappropriated. It was acknowledged that it was contrary to the charter of the hospital and the intentions of the founders that officers should be admitted as was now done, and yet the practice was continued. Instead of considering that any reform in the institution was necessary, the Members of the Government who had spoken seemed to think that there ought to be no such reform, but all the abuses in existence should be continued. Sir Richard Bromley had been withdrawn from the service of the Admiralty on account of sickness, and yet they said they had appointed him for a purpose in accordance with the recommendation of the Commissioners—namely, the reform of Greenwich Hospital. But how could a sick man fulfil such a task as that? That was only part and parcel of the whole system of the Board of Admiralty. That Board was opposed to every real reform, and it set its face against all progress. There had been many proofs given of that fact before, and one more had been added to them that night.

CIVIL ASSISTANTS ON THE ORDNANCE SURVEY.

OBSERVATIONS. QUESTION.

Mr. DIGBY SEYMOUR said, he wished to call attention to the unsatisfactory position of the Civil Assistants employed on the Ordnance Survey, with reference to Promotion and Pay, and to ask the Under Secretary of State for War, Whether there is any prospect of the same principle of classification being adopted in their case which has been attended with such good results in other Departments of the Public Service? He complained of the treatment received by this meritorious class of officers and their inferior position as compared with other Government *employés,* when, in point of fact, they rendered the most valuable services. He denied that there would be any difficulty in carrying out a system of classification, and pointed to the success which had attended the classification of valuators in the Valuation Office of Ireland.

The Marquess of HARTINGTON said, the subject had already been brought under the notice of the War Office when Lord Herbert was Secretary of State for War, and the proposal of the hon. and learned Member was rejected. Some correspondence took place between the noble Lord and the hon. Member, which was unfortunately of a private nature, and could not be produced. Lord Herbert's grounds of objection were, that the organization of the Ordnance Survey Office being of a totally different character to any other office, the same system was by no means applicable to them; and that the adoption of a system of classification would not only lead to considerably-increased expenditure, but would also tend to render inefficient that service which was at present well performed. Ample assistance could be obtained under the existing system, and it would be a waste of public money to increase the expense. The men employed were paid in proportion to the value of the services rendered, and that was the proper principle to follow. The cost of the changes which the hon. and learned Member advocated would amount to £1,000,000 for the whole survey of the United Kingdom. The organization of the department was worthy of the admiration of the country, and foreign governments had sent persons to this country with the view of imitating it.

The LORD MAYOR (Mr. Alderman Rose) said, the men did their work, which was admitted to be admirably executed, under a feeling that they were ground down, because they were without hope of rising, no matter what zeal and ability they might display, and were altogether dependent on the caprice of the officer over them. It was a strange thing that it should be impossible to classify a department in which the wages varied from 9*d.* to 19*s.* a day, and the work from the commonest labourer's work to the highest scientific work that could be executed. Again, it often happened that the men were put under the command of persons whom they had instructed, and the effect of that was to produce a feeling of despair. There ought to be a classification, which would enable men to rise in position in proportion to their abilities. There was also a grievance in the case of these clerks which ought to be remedied. The rate of pay was not half that which was given by civil engineers.

Mr. MOFFATT observed, that in the case of the Irish survey there was a system of classification, and it had worked well. He could not help remarking that it was absurd to suppose that the adoption of the same system in England would involve the cost of £1,000,000.

Sir MORTON PETO said, he thought that the Government proceeded on a vicious principle when, in engaging their servants, they allowed the question of a retiring pension to come under consideration. The Government should, like all great engineering firms, classify fairly the people they employed, and pay them adequately, so that they might be able to lay something by for an evil day.

Captain CARNEGIE said, that whenever any non-combatants had anything to complain of, they heard of it immediately. The men of the engineer force were not generally in such a good position as these civil servants, and he hoped their case would be taken first into consideration.

Sir EDWARD GROGAN said, he thought there was great hardship in the case of those employed in the offices, and hoped, from what had been said that night in that House, the noble Lord would think it worth while to reconsider the question, as it was deserving of great consideration.

THE DANISH CLAIMS.

OBSERVATIONS.

Mr. MACAULAY said, it was well known that the British Government in 1807 confiscated a large amount of Danish property; that the produce of the sales belonged to the Crown exclusively, but that the Government of the day took credit for having appropriated a considerable amount of the money produced by the sales to the public service. At that late hour (twelve o'clock) he would not go into the original merits of the claims for compensation of the sufferers, or into the state of the question as it stood. On some future occasion he intended to take the sense of the House in regard to the conduct of the Government, after the address of the House praying the Crown to make payment of the adjudged claims and the gracious answer expressing Her Majesty's willingness to do so, in not taking any steps to carry that arrangement into effect. At that time, however, he should content himself with asking, whether the Government would afford him any facilities in ascertaining what were the proceeds of the Danish vessels and munitions seized by the British Government, which led the Danes to make reprisals, and to what purposes those proceeds had been applied? He understood that they amounted to between two and three millions.

Mr. PEEL said, the Government would be glad to give the hon. and learned Gentleman every information in their power. No valuation had been made of the munitions taken from the Danes and used in British vessels, and none could be procured. As to the prize vessels, he understood that papers had already been laid before Parliament showing the amount of the proceeds, and how they were applied.

Main Question put, and *agreed to.*

SUPPLY.

Supply *considered* in Committee.

House *resumed.*

Committee report Progress; to sit again on *Monday* next.

HARWICH HARBOUR (*re-committed*) BILL.

[BILL 159] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Milner Gibson.*)

Mr. CLAY said, he would move as an Amendment, that the House go into Committee that day three months. The grant of public money proposed to the locality was, in his opinion, entirely without justification. It was as causeless an expenditure of public money as any he knew. If the grant were made to Harwich Harbour, a place not at all recommended in the Report of the Harbour Commission, they might as well set aside the recommendations of that Report altogether. It was far from his intention to denounce the Bill as a railway job, but it looked like an attempt to get the public money for the improvement of a harbour which it was the interest of the Great Eastern Railway to have improved, but not that of the public. He repudiated the taunt that it was because he represented a rival port that he made any opposition to the Bill. Hull did not require to be nursed at the expense of the nation; and if even any such demand were made, he should oppose it.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day three months, resolve itself into the said Committee,"—(*Mr. Clay,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. MILNER GIBSON said, he could assure the House that the Bill had nothing to do with the Great Eastern Railway Company, and that the subject had been for years under the consideration of the Government. It had been represented that there was a pressing danger of losing the Harbour of Harwich by a point of sand growing out in a westerly direction until it met the shoal water. The question really was, whether it was not worth while to save the harbour, which was valuable not only for commercial purposes, but as a harbour of refuge, and for a North Sea fleet, should it ever be necessary to have a fleet stationed there. The Admiralty, the Trinity Corporation, the Tidal Harbour Commissioners, and a Select Committee, had all reported in favour of something being done; and it was now proposed to contribute half the necessary funds from the State, leaving the other half to be supplied from local sources. He thought it would be a pity to lose the opportunity of preserving the valuable estuary, and he trusted the hon. Gentleman would allow them to consider the clauses in Committee.

Captain JERVIS said, that the borough of Harwich had nothing to do with Harwich Harbour, and, as far as the borough was concerned, it did not matter whether the silting up continued or not. The estuary was a sheet of water, over which the borough had no jurisdiction, and the trade of the borough was not dependent upon it. The Bill was founded upon the unanimous recommendation of a Select Committee, of which he was Chairman; and he denied that the members of the Committee were unusually favourable to Harwich, or careless about the expenditure of public money.

MR. CRAWFORD said, he thought that the borough of Harwich must have an interest in the harbour being kept open, but he was inclined to believe that the local jealousy of Hull had a great deal to do with the opposition. It was most important to the coasting trade that the harbour should be kept open, and he hoped the Bill would receive the assent of Parliament.

VISCOUNT GALWAY said, that as a member of the Committee he approved the proposal to do something for Harwich.

MR. LINDSAY said, he would allow that the improvement of Harwich would be of advantage to the shipping interest, but it was not one of the Harbours which had been mentioned either by the Committee or the Commission on Harbours of Refuge.

MR. CLAY said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 22 were *agreed to.*

Clause 23 (Power for Board to borrow for Works at Landguard Point).

MR. LINDSAY said, he would move the omission of the latter part of the clause, which gave power to the Government to grant £10,000 to the Harbour of Harwich.

Amendment proposed, in page 10, line 10, to leave out from the word "both" to the end of the Clause.—(*Mr. Lindsay.*)

MR. MILNER GIBSON said, the omission of that part of the clause would be as good as throwing out the Bill, and he must, therefore, support the clause as it stood. It was doing a great public service at a small cost.

MR. THOMPSON, said he should support the Amendment.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided*:—Ayes 153; Noes 24: Majority 129.

Clause *agreed to*; as were the remaining Clauses.

House *resumed.*

Bill *reported*; as amended, to be considered on *Tuesday* next, and to be *printed.* [Bill 176.]

MUTINY (EAST INDIA) ACT REPEAL BILL—[BILL 166.]—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Whereupon Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Wykeham Martin.*)

Motion, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill *considered* in Committee.

House *resumed.*

Bill *reported*, without Amendment; to be read 3° on *Monday* next.

WATCHMEN IN TOWNS (IRELAND) BILL—[BILL 102.]

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Lord Naas.*)

Question proposed, "That the word 'now' stand part of the Question."

SIR ROBERT PEEL said, he must also oppose the Bill.

MR. BAGWELL said, that as the Bill had been introduced with the approval of the right hon. Gentleman, who had promised to support it, and as he now took a contrary course, he thought it would be useless to press it any further. He should, therefore, with the the permission of the House, withdraw it.

Whereupon Motion made, and Question proposed, "That this House do now adjourn."—(*Captain Carnegie.*)

Motion, by leave, *withdrawn.*

Question, "That the word 'now' stand part of the Question," put, and *negatived.*

Words *added.*

Main Question as amended, put, and *agreed to.*

Bill *put off* for three months.

THE LISBURN ELECTION.

RESOLUTION.

Mr. **BAINES** said, he would move the adjournment of the House. He agreed with the hon. Member for Knaresborough that a prosecution ought to be instituted, but he thought that at that hour (a quarter to two) the subject was too serious to be undertaken. He understood that the Chairman of the Committee which unseated Mr. Barbour did not think that one of the parties named ought to prosecuted.

Mr. **WYKEHAM MARTIN** seconded the Motion.

Mr. **COLLINS** said, a private Member had no chance of bringing on such a question except by waiting till two o'clock in the morning. He was prepared to go on, and he thought he should be able to induce the House to agree to his Motion.

Motion made, and Question put, "That this House do now adjourn." — (*Mr. Baines.*)

The House *divided:*—Ayes 19; Noes 142: Majority 123.

Mr. **COLLINS** said, he then rose to move that Mr. Attorney General for Ireland should be instructed to prosecute John Doherty Barbour, Robert Barbour, and Thomas Barbour, for bribery, treating, and undue influence, committed by them at the late election for the Borough of Lisburn. The Committee had reported that John Doherty Barbour and his partners, the other two Gentlemen named in the Resolution, had been guilty of bribery, treating, and undue influence. It appeared from the evidence that Messrs. Barbour, who were great manufacturers, had a large mill at a short distance from Lisburn, in which they collected a number of voters and retained them there for eleven or twelve days, eating, drinking, dancing, fiddling, and card-playing. The premises were watched from nine at night until six in the morning, by three men with loaded guns, and none of the persons were allowed to leave the place. One man had no vote, but he was retained, as found by the Committee, in order to induce him to personate his late father. All the three persons against whom he desired the House to direct the prosecution, were, by the evidence taken before the Committee, directly connected with these proceedings. Thomas Barbour visited the mill, and spoke to the persons who were confined it it. Robert Barbour himself induced the non-voter to go the factory, and offered to remunerate him if he would personate his father and vote for John Doherty Barbour. He had also offered to purchase the land of a voter, and provide for his son and daughter. He was not a purist in these matters, but that was a gross and flagrant case, and in his opinion the House had no alternative but to prosecute these three persons.

Motion made, and Question proposed,

That Mr. Attorney General for Ireland be instructed to prosecute John Doherty Barbour, Robert Barbour, and Thomas Barbour, for bribery, treating, and undue influence committed by them at the late Election for the Borough of Lisburn. —(*Mr. Collins.*)

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Bagwell.*)

Sir **GEORGE GREY** said, he hoped that the Chairman of the Committee would be allowed to make the statement which he believed he was prepared to submit to the House.

Motion, by leave, *withdrawn.*

Question again proposed.

Mr. **EVANS** said, that he was Chairman of the Committee which tried the Petition, and he was quite prepared to support the Motion for the prosecution of John Doherty Barbour and Robert Barbour, but he should move the omission from the Resolution of the name of Thomas Barbour. Mr. Thomas Barbour was no friend of his, but the reason why he thought it undesirable to prosecute him was that he did not think that there would be the slightest chance of obtaining his conviction. The only evidence against him appeared to be a conversation with a non-elector; and he believed that the other members of the Committee agreed with him that it was not desirable that Thomas Barbour should be prosecuted. He would therefore move the omission of the name of Thomas Barbour from the Motion.

Amendment proposed, to leave out the words "Thomas Barbour."—(*Mr. Evans.*)

The **SOLICITOR GENERAL** said, he thought the dignity of the House would not be promoted by directing the prosecution of a person against whom the evidence was so slight as to make it improbable that there would be a conviction. In the case of John Doherty Barbour and Robert Barbour, he thought, that if the evidence which had been obtained against them was not negatived by other testimony, convictions probably would be obtained; but he did not anticipate any such result against Thomas Barbour. The evidence against that gentleman had been somewhat overstated by the hon. Member for Knaresborough, and, in his opinion, it would not be desirable that he should be prosecuted.

MR. **SCLATER-BOOTH** said, he hoped that his hon. Friend the Member for Knaresborough would accept the Amendment.

LORD **ENFIELD** said, that as a Member of the Committee he wished to express his concurrence in that recommendation.

MR. **COLLINS** said, he would consent to omit the name of Mr. Thomas Barbour.

Question "That the words proposed to be left out stand part of the Question," put, and *negatived.*

Main Question, as amended, put, and *agreed to.*

Resolved,

That Mr. Attorney General for Ireland be instructed to prosecute John Doherty Barbour and Robert Barbour, for bribery, treating, and undue influence committed by them at the late Election for the Borough of Lisburn.

POOR RELIEF.—SELECT COMMITTEE.

Mr. **C. P. VILLIERS** said, he rose to move that the Select Committee to inquire into the administration of the relief of the poor be re-appointed.

Select Committee *appointed,*

"To inquire into the administration of the Relief of the Poor under the Orders, Rules, and Regulations issued by the Poor Law Commissioners and the Poor Law Board, pursuant to the provisions of the Poor Law Amendment Act, and into the operation of the Laws relating to the Relief of the Poor."

Ordered, That the Select Committee do consist of twenty-one Members:—

Mr. VILLIERS, Mr. CAIRD, Lord EDWARD HOWARD, Mr. KEKEWICH, Mr. AYRTON, Sir JOHN ACTON, Sir WILLIAM JOLLIFFE, Mr. WALPOLE, Mr. LYALL, Mr. Alderman SIDNEY, Mr. LOWE, Mr. BAZLEY, Sir GEORGE BOWYER, Lord FERMOY, Mr. JOHN TOLLEMACHE, Mr. MONCKTON MILNES, Mr. LOCKE, Lord ROBERT CECIL, Mr. EDWARD PLEYDELL BOUVERIE, and Colonel PENNANT:—Power to send for persons, papers, and records; Five to be the quorum.—(*Mr. Villiers.*)

House adjourned at a quarter before Three o'clock, till Monday next.

HOUSE OF LORDS,

Monday, June 22, 1863.

MINUTES.] — SELECT COMMITTEE —Library of the House (*List of the Committee*).

PUBLIC BILLS—*First Reading*—Oaths of Allegiance and Supremacy [H.L.] (No. 150); Militia Pay*.

Second Reading — African Slave Trade Treaty* (No. 129); Volunteers (No. 140); Regimental Debts, &c.* (No. 141); Charitable Uses* (No. 152).

Committee—Thames Embankment (North Side)* (No. 107).

Report—London Coal and Wine Duties Continuance* (No. 104).

Third Reading—Prison Ministers (No. 146); Bleaching and Dyeing Works Act Amendment* (No. 43); Local Government Supplemental* (No. 130); and severally *passed.*

Royal Assent—Dockyards Protection Act Amendment [26 & 27 *Vict.*, c. 30];
Cayman Islands [26 & 27 *Vict.*, c. 31];

LIBRARY OF THE HOUSE.

Select Committee to consider of certain Matters relative to the Library of this House and to the Papers and Documents delivered for their Lordships' House, *appointed.* The Lords following were named of the Committee:—

L. Abp. Canterbury.
Ld. Chancellor.
Ld. President.
Ld. Privy Seal.
D. Richmond.
M. Bath.
E. Stanhope.
E. Malmesbury.
E. Russell.
V. Eversley.
L. Willoughby de Eresby.
L. Colville of Culross.
L. Ponsonby.
L. Wycombe.
L. Redesdale.
L. Colchester.
L. Somerhill.
L. Brougham & Vaux.
L. Monteagle of Brandon.
L. Cranworth.
L. St. Leonards.
L. Wensleydale.
L. Chelmsford.
L. Kingsdown.

BRAZIL—THE SLAVE TRADE.
QUESTION.

LORD **BROUGHAM** said, he wished to ask his noble Friend the Foreign Secretary, Whether he had any objection to produce a Despatch or Note from Senhor d'Abrantes, to our *Chargé d'Affaires* at Rio, on the subject of the Slave Trade; also, whether, if the Note had not arrived in this country, he had any objection to produce the Despatch of our Minister in reference to the matter, or any Communication which might have taken place with respect to the liberation of Slaves at Rio? Having put these Questions to his noble Friend, he would take occasion to say that he very much regretted the course of conduct pursued by the Brazilian Government in more respects than one; but especially towards the captured slaves for whose liberation Senhor d'Abrantes stated active measures were to be taken; but at the same time he must admit that the conduct of Brazil in relation to the slave trade generally had been most admirable, and presented a very favourable contrast to that of Spain. In the year 1858-9, 50,000 slaves were imported into Brazil. The Brazilian Government, however, took steps to make the trade piracy, or at least a capital offence, and the effect was that the number of slaves imported became reduced to one-half in the next year, and to little more than 10,000 in the year following; the reduction being so complete in the fourth year as to amount to an abolition almost as great as had been effected in any of our West Indian dependencies. While, however, such was the conduct of Brazil, the Spanish Government had fulfilled only one part of the treaty into which it entered in respect to the slave trade. They received £500,000 sterling by way of compensation for consenting to its abolition; but, instead of abolishing it, Governors were sent out to Cuba to recruit their ruined fortunes by conniving at its continuance. One Governor, who happened not to stand in want of money, reduced the trade very considerably; but he was in the next year succeeded by another, who, being a needy man, took bribes from the slavetraders, and thus permitted the traffic to increase. There had been instances of fortunes of £90,000 or £100,000 being made by Spanish Governors in that way, and the trade at present was so great that 23,000 were annually imported into Cuba. While Spain had acted in that manner, the Brazilian Government and people had not been slow to improve the social position of persons of colour, as was evidenced by the fact that the physician of the Emperor of Brazil, some two or three years ago, was a man of colour, and that the various offices in the State were open to the class to which he belonged. He wished he could pay a similar compliment to the people of the United States; but it was well known that they practised no such liberality and justice. To show how little the people of those States were inclined to liberality in this matter, he might mention that when some years ago an International Congress was held, attended by delegates from all quarters, the two American delegates were so offended by the introduction of Dr. Delany and some other gentlemen of colour

to the Congress, that they resigned their positions at once, and ceased to attend its meetings.

Earl RUSSELL said, there was no objection to produce the Papers referred to by the noble and learned Lord.

OATHS OF ALLEGIANCE AND SUPREMACY.

BILL PRESENTED. FIRST READING.

Lord CAMPBELL said, that the difficulty of engaging the attention of the House to the subject of his notice, after the much more interesting topics they had recently debated, was so great that nothing but a sense of duty would have led him for a moment to attempt it. To guard himself in some degree against the charges of rashness and presumption, he might mention that since the general election of 1847, which had forced the question of the oaths on the public and on Parliament, his attention had happened to be very much directed to it. He should ask the House to read a Bill for the first time, and give, as rapidly as possible, an explanatory statement of its objects, having no intention or desire to proceed to any further stage during the Session. The uncertainty of being able at any future time to offer such an explanation alone induced him now to trespass on the goodness of their Lordships. There were only three points on which it was essential that he should gain the concurrence of the House:—First, the necessity of revising and amending the arrangement of the oaths formed in 1858, when they were last adjusted; secondly, on the principle which ought to govern such revision and amendment; thirdly, on the safest and the most convenient application of the principle. And it was only on the first of these three points that it was requisite to dwell, not with length indeed, but with anxiety. If a clear and obvious case for further legislation was established, an imperfect and erroneous scheme would not be viewed with harshness or severity; if no sufficient reasons were advanced for agitation of the subject, a Bill, however perfect it might seem in principle and detail, would very justly be resented by their Lordships, inasmuch as the great and the established principle of *Quieta non movere* would then have been improperly departed from. It was difficult for noble Lords to summon the year 1858 to their memory, intercepted as it was by the size and splendour of the objects which had since then demanded the attention of the world. But if we had imagination to revive it, if noble Lords could suddenly transport themselves into its discussions and its conflicts, no argument would be necessary to show that the conclusion then arrived at on the oaths was temporary and provisional. What was the arrangement? Two Acts of Parliament were carried by Lord John Russell and Lord Lucan. The first created a new oath with a profession of Christianity appended to it. The second gave both Houses of Parliament the discretionary power to exempt Jewish Members (no one else) from making the profession appended to that oath, but not from making the profession appended to any other. The arrangement was substantially unchanged, although two further Acts of Parliament—one in 1859, one in 1860—had immaterially modified it. How did it arise? Lord John Russell carried through the House of Commons a Bill by which Jews would have become admissible to Parliament. The House of Lords amended it in such a way as to exclude them. Much controversy arose between the Houses and much excitement in the country. Mr. Thomas Duncombe, suddenly relying on a precedent, persuaded the House of Commons that Baron Rothschild might sit upon Committees without subscribing to the oaths. So great was the perplexity that a solution then appeared to be essential, no matter how crude, or hurried, or anomalous, provided it would give at once at least a respite to the discord of the Legislature. Lord Lyndhurst and Lord Lucan both came forward with proposals. That of Lord Lyndhurst was withdrawn, that of Lord Lucan was amended, and in a great degree transformed, at the request of the noble Earl who then led the Government. The Bill which the Commons had sent up, and that which their Lordships had originated, were at last so interwoven as to be essential to each other, and in that way reached the statute-book together. He had given the outline of what took place in 1858, in order to explain that the result did not represent the mind or judgment of any one who took part in the discussion in Parliament or out of it. It was not the plan of Lord John Russell or Lord Lyndhurst, or Lord Lucan, or the Opposition, or the Government. It was rather a fortuitous conclusion emerging from a multiplicity of councillors, an exuberance of projects, a rivalry of objects, and a chaos of ideas. And from such elements of birth it was not to be expected that a sound or final system would present itself. But what language was employed by those who gave their sanction to it. It was one of reservation and of protest. Every one accepted it as a temporary exit from a difficult emergency. Every one condemned it as a lasting settlement of a long-agitated problem. He would not quote the Parliamentary debates, but he would refer to what might be regarded in the light of history—the fact, namely, that Lord Palmerston on one side, Mr. Spencer Walpole on the other, both clearly intimated, in assenting to it, that the question could not be considered as disposed of, and that further legislation was inevitable. What defects did it contain to bring about that general conviction of its being inadequate and temporary? To give a special class exemption from a statute by Resolutions or by Standing Order, by many had been deemed unconstitutional, and by all was said to be invidious. It was a dispensing power such as the Crown had formerly pretended to. The permissory power established by Lord Lucan's Bill was confined to the oath established in Lord John Russell's Bill. Lord John Russell had declared that that oath contained some things which ought not to be there, or at least ought not to be perpetuated. But in order to correct it Baron Rothschild must be driven out of Parliament, and all the former agitation brought again into existence, since the discretionary power to admit him vanished with that single oath. So long as the scheme of 1858 remained, there would always be a disposition in the House of Commons to amend it, and Bills might reach the House of Lords which they were not inclined to accept. In 1860 this had happened. But far more grave was the objection that debates in the House of Commons may occur at any moment on the Standing Order by which the Jewish members were admitted. And they inevitably would arise if parties happened to be evenly divided. For the last twenty years we had not seen the results of a contention between two parties of equal strength and equal aspiration. Let any one recall the close of Sir R. Walpole's Government about 1740, when the sick and dying were brought down to the floor of the House of Commons to divide, and ask himself whether at such moments no attempt would have been made to rescind a Standing Order which gave half a dozen votes to one party or the other.

Let any one recall the time when Mr. Pitt came in a second time about 1805, when, on the impeachment of Lord Melville, 216 voted for, and 216 against him, and the Speaker took a quarter of an hour to decide his casting vote; and consider whether at the beginning of the Parliament no attempt would have been made to rescind a Standing Order which might give to Opposition or to Government the triumph each was eagerly pursuing. Or, if those illustrations were too distant, let any one recall the latter years of Lord Melbourne's Government, when power turned on a majority of two or three, and ask himself whether at that time the Standing Order would not have been questioned by whichever party it might injure. Whenever, therefore, a condition always possible arose, the whole question would revive which in 1858 men felt so anxious to get rid of. It would be admitted on these grounds that the legislation of that year required to be amended. On what principle, however, was a juster settlement attainable? He (Lord Campbell) was anxious to repudiate the principle which belonged to the Bill of 1858 when it first left the Commons, and was first presented to their Lordships. A profession of Christianity appended to the oath clearly had no value, unless universal in the obligation to subscribe to it. It could not be a test if those who disbelieved in Christianity were exempted from the action it would have upon them; nor could it stamp the character and colour of that faith upon Parliament, when only taken by a portion. On the contrary, in such a case it would exhibit and define the fact that Parliament, on that vital question, was divided. So far from adding a new sanction to, it disparaged to some extent the daily service by which, in both Houses, business was preceded—revealing, with the precision and authority of law, the fact that a class of Members differed from the faith implied in such a mode of worship. They were thus naturally led to the alternative—namely, that the oaths should be so framed as to be available for all whom the law admitted into Parliament, and no necessity exist for the exemptions or the privileges by which a section was enabled to avoid the forms imposed on the remainder of the Legislature. [The noble Lord then discussed the different forms in which that principle was applicable.] The oath of 1829, passed for Roman Catholics, contained no phrases or positions which could debar the Protestant or Jewish Members from subscribing to it. If adopted as the single oath, religious lines of demarcation would vanish from the Legislature. In the judgment of Lord John Russell, as expressed in 1858, they ought to do so. The oath of 1829, however, was modern in its character—and the value of such forms depended in some degree on their duration and antiquity. The Roman Consul, who, when Corinth fell into his power, and when rare and valuable sculpture had to be transmitted to his country, explained to the contractors for its passage, that should damage take place, new figures would be rigorously called for, illustrated the type of intellect which overlooks a vital truth—namely, that no modern form of words can have the solemnity and dignity of those which have already linked ages, generations, Parliaments together. The proposition he had ventured to embody in the Bill was, leaving the oath of abjuration in the grave to which it had been sentenced, to re-enact the oaths of allegiance and supremacy to supersede that of 1858. These oaths of allegiance and supremacy were established in the first Act of William and Mary; again in the 8th Act of William and Mary; again in the Bill of Rights, meant as an eternal monument of freedom—were never altered or disturbed till 1858, were then altered and disturbed for no purpose except to remove the complication on the Jewish question which existed. The complication which yet remains will disappear if we re-enact them. They are known to be available for all Members of the Legislature, whether Protestant or Jewish, and Roman Catholics will still continue to subscribe the oath of 1829. [Lord Campbell then referred to a Bill which Lord Lyndhurst had introduced in 1855 to repeal the oath of abjuration, and which, had it been carried, would have led to the exact position which his Bill designed to accomplish.] He had the shelter, therefore, of that venerable Lord, as well as of the Bill of Rights and the innumerable Parliaments in which the oaths he wished to re-enact had been accepted. The clauses were so framed as to supersede the oath of 1858, to revive the oaths he had referred to, and to maintain in the House of Lords its indisputable right to determine upon which Testament oaths should be administered, so that no Jewish Peer could take his seat in that House without their formal sanction, should the Crown ever give existence to the question. While, therefore, the position of the House of Lords would be unaltered and inviolate, and no member of the Jewish faith, without its fiat, could ever mingle in its councils — the difficulties which still arise from the imperfect system of 1858 would pass away; no collision on the oaths could take place between the Houses; no debates on the Standing Order could arise in the Commons; the anomalous and unbecoming demarcation of the Legislature into the adherents and the opponents of our faith would be avoided; and the solemnities intended to be permanent in the Bill of Rights would be restored. But, if such a mode of acting does not seem to be desirable, I appeal to the present, to the late Government, and that right rev. Bench which has so clear a right to influence the question, that they may gradually mature a safer and a happier solution. Two things seem to be indisputable, that the legislation of 1858 cannot be accepted as enduring; and that nothing would tend more to the dignity and credit of the House of Lords, clouded in the eyes of some by their long, although sincere, resistance to the claims of Baron Rothschild, and also by the form in which that resistance ended, than that the settlement we still require should be accomplished by their labour. The noble and learned Lord then *presented*—

"A Bill to substitute the Oaths of Allegiance and Supremacy as enacted in an Act passed in the Second Session of Parliament in the First and Second Years of King William and Queen Mary instead of the Oaths now required to be taken by Her Majesty's Subjects other than Roman Catholics."

EARL GRANVILLE said, there could be no doubt that it was desirable to have the words of an oath as clear and plain as possible, and it was impossible to defend the working of the existing oaths. As, however, he had not read the oath proposed in the Bill of his noble Friend, he could not give an opinion upon it. There was, however, no particular inconvenience experienced at present, and he did not see any great advantage in discussing the matter. He would suggest to his noble Friend to ascertain whether there was a reasonable chance of his having a majority before he moved the second reading; for there would be no advantage in moving in the matter of these oaths unless there was reasonable ground for expecting that legislation would follow.

THE EARL OF DERBY said, he understood the noble Lord to say that it was not his intention to proceed with the Bill this Session.

LORD CAMPBELL: Hear, hear!

Bill read 1^a; and to be *printed.* (No. 150.)

ECCLESIASTICAL COMMISSIONERS.

RESOLUTION MOVED.

LORD EBURY rose to call the Attention of the House to the Distinction made by the Ecclesiastical Commissioners in the Distribution of the Common Fund between Benefices in public and in private Patronage; and to move to resolve, That, in the Opinion of the House, the Necessity of the Case and not the Incidents of Patronage, should be their main Consideration, as laid down by the directing Statute. The noble Lord said, that in bringing this matter before their Lordships, he would first of all give a brief outline of the circumstances that had led to the present position of the Ecclesiastical Commission. The Commission had been originally constituted by an Act of Parliament, which passed about twenty-five years ago. Various functions were by that Act intrusted to the Commissioners; and in 1858 the powers of the Church Building Commissioners were transferred to the Ecclesiastical Commission. At the present time this Commission had to take notice of about seventy Acts of Parliament. The Commissioners had a revenue of about £200,000 a year, with a floating balance of £200,000. No doubt the Commission existed, and for a long period had existed, only by continuance Acts; but any one who looked at the circumstances must be convinced that it would be for many years one of the great public Departments of the country, if it did not eventually become entirely permanent. There was reason for exercising great vigilance with regard to this subject. One of the difficulties which had to be encountered in dealing with this subject was, that as no one knew what the Commissioners were doing until the act was accomplished, any one who took objections to them had the appearance, and was sometimes charged with the intention, of moving a vote of censure upon them. Another difficulty in the way of a fair discussion of the question was this—that most of the leading men in both Houses either were now, or had been, Members of this Commission; and although they did not appear to know much of what passed in the Commission, yet somehow or other they seemed to think themselves bound by the decisions which it came to. For example, he had taken his grievance to the noble Earl below him (Earl Granville), who told him that he was one of the Commissioners, felt bound by their acts, and must decline to receive his proposition. Then he went to the noble Earl opposite (the Earl of Derby), with whom he was somewhat more successful; for although he did not receive any great promise of support, the noble Earl said, that when the proper time came, he was willing to hear what could be said on the subject. The fund to which his Motion related was originally of two kinds — the episcopal and the common fund; but the former merged into the latter, and it was the administration of the common fund with which they now had to deal. The 3 & 4 *Vict.*, c. 113, by which the Commission was constituted, enacted (section 67), that if any surplus remained after keeping up the estates of the right rev. prelates, and paying the stipends of the canons and prebendaries, it should be applied in making additional provision for the cure of souls in parishes where such assistance was most required. With regard to monies arising from tithes, however, it was enacted, that whether there was a surplus or not, they must be answerable for local claims, and must go to add to the stipends of clergymen in the district whence the tithes arose. With regard to benefices patronage to which was in public hands, the Commissioners had been somewhat inconsistent. For some time they made augmentations without any equivalent at all; at other times they required from the persons having the disposal of those benefices an equivalent for the assistance bestowed; but in the case of benefices in the hands of private patrons, there had been a uniformity of injustice, for the Commissioners had never given anything in the way of augmentation without exacting an equivalent from the patron, or some one interested in the advowson. Considering that this had been the practice of the Commissioners for a great many years, their Lordships would, no doubt, be surprised that this subject had never been brought forward until now. The reason was, however, a good one. When the Ecclesiastical Commission was originally constituted, great hopes were entertained that there would shortly arise, from the suspended canonries and other sources of income, a large surplus for division among the poorer livings. But this did not turn out to be the case, for, with the exception of a few augmentations between 1842 and 1844, there was no real surplus until 1856. Since then the surplus had increased largely; for, whereas in 1856 it amounted to £5,000, it rose to £100,000 in 1862. The Commissioners had this year introduced a rule, in reference to a certain class of livings, which had given rise to much dissatisfaction. They had determined, where the population was above 10,000, to raise the stipends of all the incumbents of such benefices to £300 a year. They proposed this with regard to livings at the disposal of public patrons; but in the case of livings in the hands of private patrons, whatever the population might be, they declined to augment the stipend without an equivalent. This had given rise to a great deal of murmuring, and some of the clergy aggrieved had requested him to bring the case before their Lordships. Now, there was nothing in the nature of private patronage itself, referred to in the Act of Parliament regulating the distribution of this fund, nor in any external circumstances whatever, which justified the principle adopted by the Commissioners. As to private patronage, it was unnecessary to say a word; for when the noble and learned Lord on the Woolsack lately proposed to transfer from public to private patrons some hundreds of benefices, their Lordships received the proposal almost with acclamation; nor had he ever heard that private patronage was at all worse administered than public patronage. The statistics of the case, deducting all livings the presentations to which were alternately in public and in private hands, showed there were in the patronage of private individuals in England and Wales about 6,000 livings, all of which were placed under disability by the rule he had mentioned. Let them take the population. The Commissioners proposed to raise the stipends to £300 a year where the population was more than 10,000. Of the livings in private patronage there were no fewer than 20 with more than 10,000 inhabitants, and less than £300 a year; and of these 20, 2 had more than 20,000, and 1 over 30,000 population. These livings had an aggregate population exceeding that of several of the dioceses in England, and the average income was £147 a year each; and seven were without parsonage houses. Yet, by the rule of the Commissioners, these livings were not to receive a single farthing of the proposed addition, unless they found the means of offering an equivalent—an offer which was absolutely worthless under the circumstances. He would go lower. There were 38 incumbencies in the hands of private patrons, where the population was over 5,000 and under 10,000; 16 of these were without parsonage houses; and the average income was £124. Many of the livings which he referred to, where the population was over 10,000, were among the poorest and most distressed districts in the east of London, and the aggregate population was very large. His Motion did not go to the extent of binding the Commissioners in all cases, nor would it prevent them, in exceptional cases, from requiring compliance with any terms they might think it right to impose. There had been very great munificence, on the part of private individuals, in founding and endowing churches. Some of these instances were well known to their Lordships. In these cases the disability imposed by the rule of the Commissioners would act very injuriously. The Earl of Aberdeen had, at the cost of £10,000 or £12,000, built, and to some extent endowed a church in the populous district of St. George-in-the-East. The right of nomination was, of course, vested in the noble Earl; and if the incumbent applied to the Ecclesiastial Commissioners to make a grant in aid of the endowment, he would be told that they could not do so unless the patron would contribute a further sum in addition to the £10,000 or £12,000 he had already expended; but if he were inclined to pay more money, the Commissioners would grant a sum equal to the further amount contributed by the patron. In another case, where a gentleman had paid between £4,000 and £5,000 to form a district, the great tithes of the parish would soon come into the possession of the Ecclesiastical Commissioners; but, according to the present rules, no portion could be allotted to the district. He did not mean to make any attack upon the Ecclesiastical Commission. That body had been exposed to many and serious attacks; but, having sat upon two Committees—one in that House, and one in the House of Commons—to inquire into the conduct and management of the Commission, he was bound to say, that although in his opinion they had made a few mistakes and probably perpetrated a few jobs, yet, upon the whole, considering the extent of their transactions and the novelty of many of the cases upon which they had to adjudicate, the Commissioners had administered the trust committed to them with fidelity and success. If, however, it could be shown that he had not overstated the hardships arising from the existing rules for the administration of this fund, he hoped their Lordships would assent to the Motion which he proposed. The noble Lord concluded by *moving* to resolve,

> "That, in the opinion of the House, the Necessity of the Case, and not the Incidents of Patronage should be the main Consideration of the Ecclesiastical Commissioners, as laid down by the directing Statute."

THE EARL OF CHICHESTER said, that when his noble Friend commenced his address by calling attention to the importance of watching over the proceedings of the Ecclesiastical Commissioners, he must have forgotten that their proceedings had been investigated by Parliament on several occasions, and that the results, upon the whole, had, he believed, been satisfactory. He should not think it his duty to enter upon this occasion into details, nor need he refer to the special cases which had been mentioned, as the noble Lord had not given notice of his intention to bring them forward. The best mode of meeting the remarks of the noble Lord would, perhaps, be to refer their Lordships to the Acts of Parliament governing and prescribing the conduct of the Commissioners and to their practice under those Acts; and he thought he could show that the distribution of those funds by the Commissioners had been in accordance with those enactments, and was not materially at variance with the course suggested by the noble Lord—namely, that in the distribution the wants of the assisted districts had been considered, and that there had been no question of patronage. The original Act 3 & 4 *Vict.*, c. 113, directed the formation of a common fund, to be applied in making additional provision for the cure of souls in parishes where such assistance was most needed, and in such manner as the Commissioners should deem most conducive to the efficiency of the Established Church. The mode was left to the discretion of the Commissioners. Then there was a proviso, that in dealing with rents or tithes, due consideration should be given to the wants and circumstances of the parish or district whence such rents or tithes were drawn; and by a subsequent Act that provision was extended to all property whatsoever. There was an exception to that Act which enabled the Commissioners, if they thought fit, in places where there were large masses of the population, collected for the purposes of mining, to make temporary grants to meet benefactions. A Committee of their Lordships' House in 1858, appointed to examine into the state of spiritual destitution unhappily existing throughout the country, had inquired, among other things, into the administration of the common fund by the Commissioners; and in their Report the Committee stated that they were of opinion that the principle already applied to tithe ought to be extended to property of other descriptions, and that where there was a large population to be provided for they should have the first claim. It appeared to them, therefore, that the law should be so amended as to direct the Commissioners to deal with the property in question on that principle, so far as it could be done with the charges and obligation created by Parliament or already incurred by the Ecclesiastical Commissioners. In making this recommendation, the Committee assumed that on all occasions, except those of extreme destitution, the grants of the Ecclesiastical Commissioners should only be made on condition of their being met by private benefactions in the manner after described; and the closing paragraph of the Report expressed a very strong opinion of the obligation which rested on the wealthy members of the community belonging to the Church of England to meet the grants made by the Commissioners in behalf of the spiritual destitution prevailing throughout England, which was so great that it was impossible it should be provided for without voluntary aid. He had now to state what had been the practice of the Commissioners in carrying out these enactments. The Report of the Commission which had been laid on the table this Session stated that the total number of benefices and districts augmented and endowed by the Commissioners amounted to 1,438, and the total permanent charge in respect of benefactions exceeded the sum of £107,000 per annum; in addition to this the Commissioners had annexed to livings tithe rent-charges of the value to £11,000 per annum. The Report also stated, that with a view to the further relief of spiritual destitution, the Commissioners had determined during the current year, first, to appropriate a capital sum of £100,000 to meet benefactions already offered in accordance with their views published in Februrary 1862; secondly, to discharge those of the local claims proposed in the last Report to be immediately dealt with, which the £20,000 per annum then voted did not suffice to meet; thirdly, to augment, unconditionally, so as to raise to £300, the income of all benefices under public patronage where the population was not less than 10,000, except such as were subject to special legislative provision; and fourthly, to augment the income of all benefices in private patronage having a like population to a like amount, on condition that one half of the sum required for such augmentation should be provided from non-ecclesiastical sources. That was the course which had been taken by the Commissioners this year; and considering the Acts of Parliament he had quoted, and the Report of the Committee of their Lordships' House to which he had referred, he did not think the Commissioners could have done otherwise. With regard to livings having a population of 10,000 souls, it was determined by the Board that the grants should not this year exceed £10,000 or £12,000 a year. The Commissioners thought the livings in public patronage had the first claim; and though it was quite true that some of those in private patronage equally required augmentation, he thought the Commissioners were quite justified in requiring, at all events during the first year, that some attempt should be made in such cases to obtain subscriptions of a private character in order to meet their grants. Some of the large livings in the east of London might be cases of very great hardship, and some of them had the misfortune, if such it was, to be in private patronage. It might be expedient that the Commissioners should, in a future year, consider such cases, and if necessary—if they should see that there was no probability of private benefactions being forthcoming—it would be quite competent to make unconditional grants to those livings; indeed, such a proposal was before the Board, and there was no reason to suppose that any objection would be made to it on the part of the

Commissioners. There was the other form of augmentation under the Act of Parliament by temporary grants, which were made whenever any one was able to meet the grant by corresponding subscriptions; these grants, however, were limited to mining districts, and were not numerous. The only remaining mode of distributing the common fund was by augmenting livings from the annual grant of the capital sum of £100,000, during the present and preceding year, in conformity not with any restriction of Parliament, but with the frequently-expressed opinion of Committees, to meet benefactions of a corresponding amount. Provided the necessary sum was subscribed to meet the grant of the Commissioners, the grant was made without any question as to whether the patronage was private or public. In reviewing the course which the Commissioners had taken in this respect, he did not see how they could have acted otherwise, consistently with the express enactments and declared opinions of Parliament. With regard to the words of his noble Friend's Motion, although with regard to livings in private patronage they did usually make provision that some contribution should be made to meet the grant, yet he thought it could be shown that the Commissioners had done substantially what those words seemed to suggest—because in measuring the extent of any claim and the real urgency of the cases which came before them, the smallness of the income and the largeness of the population were the only elements to which they attached importance.

LORD PORTMAN said, he must congratulate his noble Friend who had made this Motion, on the success he had already achieved; for, as he understood, a right rev. Prelate who had left the House had given a notice which would enable the Commissioners to carry out very fully that which his noble Friend wished to effect. That proceeding, on the part of the right rev. Prelate, had perhaps been expedited by his noble Friend's notice. [The Earl of CHICHESTER: No; it preceded it.] He believed that the greatest possible vigilance ought to be exercised by Parliament over this Commission; because, being a very numerous body, it did not act under the same sense of responsibility as it would feel if reduced within working limits. The fewer men there were to carry on the business of a large establishment like that, the more keenly would its administrators be alive to their responsibility to Parliament, and the greater would be the security for good management. He could not comprehend why the working of the Commission was so extremely costly as it now was. He had taken the best means in his power of investigating the accounts laid before Parliament, and he must say that they most fully answered their purpose. They gave an enormous quantity of figures, and there was the greatest possible difficulty in understanding what the results of those figures were. When, therefore, he said that, so far as he could understand, the management of the estates was so much per cent, he might be as far wrong as possible. But taking the totals according to the papers on the table, he found that the expenses of managing this enormous property amounted to something like 20 per cent of the income. The larger the property, the less ought to be the percentage for management; and therefore, he repeated, he could not understand why, in this case, the expenses of management should be apparently so enormous. There were very heavy charges for surveyors, accountants, lawyers, and the clerks of the establishment; and he thought that a great part of that outlay must be caused by a needless multiplicity of letters, by valuations and re-valuations, and other things which might as well be done without. If this enormous expenditure was necessary, there was an important question which, in his opinion, Parliament ought to entertain—namely, whether it was expedient that this property should be held in the hands in which it now was, and whether a great portion of it, scattered in all parts of the country, ought not perhaps to be realized. He believed it might in many cases be consolidated with great advantage, so as to insure to our poorer and most neglected districts that every farthing which the estates could yield should be applied for their spiritual benefit, without any waste or improper expenses of management. As, however, there was an inquiry going on in the other House of Parliament in relation to these matters, and after the assurance which had been held out that the subject of this Motion would receive consideration from the Commission, he did not see that any good would be done by dividing the House on the present occasion; and he would therefore suggest that his noble Friend should not press his Resolution. No one would venture now to defend the holding of a plurality of livings; but the insufficiency of endowment arose to some extent from the abolition of that practice, and there were cases in which the want at present felt might be met by the union of benefices adjacent, where there were very small populations.

THE EARL OF HARROWBY said, that his noble Friend had stated that the cost of management of the Commission amounted to 20 per cent of the income; but it must be borne in mind that this percentage included the cost of buying and selling large estates, for every year the Commissioners had hundreds of thousands of pounds worth of property passing through their hands; and this, of course, involved an enormous expense for surveyors' and other charges. He believed that it would be found, on a better examination of the accounts, that the ordinary expense of management of the estates in the hands of the Ecclesiastical Commissioners was about 4 per cent—certainly not 20 per cent. The Commissioners were men the most conversant in these affairs, and had the most absolute control over them; and from the statements that had been laid before the public he had been led to the conclusion that the greatest economy was observed in the arrangements. With respect to the specific Motion of his noble Friend, he (the Earl of Harrowby) confessed that in principle he was completely with him, though he admitted that there was something to be said on the other side. There were calls enough of various kinds to swallow up all their resources. It must be admitted that these grants were often rendered of great avail as supplementary to other funds—for instance, where a sum was sought to be raised for church extension, a sum perhaps of £100 was raised in a parish, which was perhaps supplemented by £200 from the rural deanery; this, again, would be increased by a grant from the Church Building Society; and then came in the aid of the Ecclesiastical Commissioners in the shape of a grant, most valuable aid being thus afforded at the time when it was most anxiously needed.

After a few words from Lord EBURY in reply,

Motion (by leave of the House) *withdrawn.*

PRISON MINISTERS BILL—(No. 146.)

THIRD READING.

Bill read 3ª (according to Order) with the Amendments.

Lord Portman

An Amendment *moved,* at the end of Clause 3 to add the words "No Minister shall be appointed under this Act for any Prison in which there is not a chaplain of the Established Church:" (*The Lord Polwarth.*)

Motion *agreed to;* Words *added.*

Another Amendment *moved,* at the end of Clause 4 to add the words "and no Minister shall be permitted to attend or visit any Prisoner belonging to any religious Persuasion differing from that to which such Minister belongs:" (*The Earl of Belmore.*)

Motion *agreed to;* Words *added.*

Another Amendment proposed, in Clause 5 to omit all the words after ("Fourteen Days") to the end of the Clause: (*The Lord Redesdale.*)

Motion *negatived.*

Bill *passed,* and sent to the Commons.

VOLUNTEERS BILL—(No. 140.)

SECOND READING.

EARL DE GREY AND RIPON rose to move the second reading of this Bill, and said, that the Report of the Royal Commissioners appointed to inquire into the state and condition of the Volunteer Force, rendered necessary by some of its recommendations certain changes of the law; and when the preparation of the Bill came under the consideration of his right hon. Friend the late Sir George Lewis, it appeared to him to be desirable to consolidate and bring into one statute the existing law which regulated the Volunteer Force. The principal provisions of the Bill were, therefore, merely a re-enactment of the existing law. The principle was observed of making no material change, but retaining the same arrangements under which a force of 160,000 men had been enrolled; because it was felt that it would be very inexpedient to make any important change in the conditions of their service. In the first place, in accordance with the recommendations of the Commissioners, the Bill altered the terms upon which the Volunteer was to become "efficient" as it was called in this Bill, or "effective" as it was called in the old Act. Under the old Act the simple condition was, that the Volunteer should have attended drill a certain number of times. The Royal Commissioners recommended, that as a grant was to be made by Parliament in aid of the funds of the Volunteers, a higher degree of efficiency should be required, and a greater security for efficiency obtained than was involved in mere attendances at drill. But as those requirements would enter into minute details, it was thought better to take power to define those details by Orders in Council, instead of embodying them in the clauses of the Bill itself. It was, however, provided that the proposed Orders in Council should be made known in sufficient time previous to their coming into operation to enable either House of Parliament to express an opinion on them. Another clause to which he would direct their Lordships' attention was that which recognised the system of administrative battalions or regiments formed of two or more different corps. It was also proposed to clear up the doubts which existed under the present law as to the complete applicability of the Mutiny Act to the adjutants and sergeants who formed the permanent staff of Volunteer corps, and one of the clauses in the Bill declared them subject to the provisions of the Mutiny Act, and provided machinery for enforcing its provisions. Power was also taken in the Bill to enable Volunteers to acquire land for rifle ranges wherever it was necessary. These were the principal new provisions of the Bill. Some objections had been taken to provisions in the Bill which were simple re-enactments of the existing law; but, on the whole, the Government had thought it wiser not to alter the conditions on which the Volunteers had originally taken service; but he should be happy, when the Bill was in Committee, to consider any alterations that might be proposed. He was happy to say that the latest Reports received at the War Office with regard to the condition of this force were most satisfactory. A slight diminution in numbers had taken place at the end of last year, the causes of which were inquired into, and pointed out in the Report of the Royal Commissioners; but it was to be hoped that the measures which had been adopted on the recommendation of the Commissioners would check that diminution, and that the provisions of this Bill would place the force on a sound basis, and maintain it in a high state of efficiency, not as the substitute but the supplement of the regular army.

Moved, That the Bill be now read 2^a.

THE DUKE OF RICHMOND said, that he did not rise to oppose the Motion for the second reading of the Bill. But he cauld not help observing that the 35th clause gave most arbitrary powers for the acquisition of rifle ranges. By that clause ground for ranges could be taken on the certificate of the Lord Lieutenant of the county, "that it is fit and proper that the land should be taken compulsorily for the purpose." It was manifest that private individuals might by that means be exposed to considerable inconvenience. It was true that parks, gardens, and ornamental grounds were exempted from the operation of the clause. But it was not clearly set forth what was to be considered a park or ornamental ground. He trusted that the clause would be so framed in Committee that no doubt could exist upon that point.

VISCOUNT HARDINGE expressed his approval of the clause by which the number of days for drill was to be fixed by an Order in Council, and not by the Act itself; and also of the clause giving the commanding officer a power of dismissal. He believed that without such a power the discipline of the force could not be maintained. It had been suggested that courts of inquiry should be substituted in that case for the judgment of the commanding officer. But it should be remembered that the courts of inquiry were not judicial tribunals, and that witnesses could not be sworn on oath by them. Besides, it would, he thought, be very injudicious to give to Volunteer officers, who were not, generally speaking, acquainted with military law, the power of settling such questions by courts of inquiry.

VISCOUNT MELVILLE also strongly objected to the very arbitrary powers given by the 35th olause, for taking land for rifle ranges against the will of the owners.

LORD TRURO said, that although there were a few provisions in the Bill which he wished to see amended, he believed that it would, on the whole, give considerable satisfaction to the Volunteers. He doubted the policy of placing sergeant instructors under the Mutiny Act, and he was afraid that under such an arrangement the Volunteers would lose the services of many valuable men. He confessed that he approved of the provision continuing to the commanding officers the power of dismissal which they had hitherto possessed. Up to the present time, there did not appear to have been any abuse of that power on the part of commanding officers; and he saw no reason to apprehend that they would henceforward transgress the limits of discretion and moderation, acting as they did under the control of public opinion, and a judgment which hitherto appeared to have been carefully exercised.

Motion *agreed to:* Bill read 2^a, and *committed* to a Committee of the Whole House on *Thursday* next.

House adjourned at a quarter before Eight o'clock, till to-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, June 22, 1863.

MINUTES.] — New Writ Issued — For Berwick-on-Tweed, *v.* Charles William Gordon, esquire, deceased.

Public Bills—*First Reading*—Prisons (Ireland)* [Bill 178]; Nuisances Removal Act (1855) Amendment * [Bill 179]; Midwifery *[Bill 180]; Poisoning * [Bill 181]; Duchy of Cornwall Management (1863) (*Lords*) * [Bill 182].

Second Reading—Costs Security * [Bill 126], *deferred.*

Committee—London, &c. Dioceses (*Lords*) * [Bill 143]; Passengers Act Amendment [Bill 133]; Thames Embankment (South Side), *on re-committal;* Sir Robert Hitcham's Charity*[Bill 160]; Ruthin Charities * [Bill 161]; Inclosure (No. 2) * [Bill 167]; Poor Removal (No. 2) [Mr. Herbert] [Bill 96]—R. P.

Report—London, &c. Dioceses *; Passengers Act Amendment; Thames Embankment (South Side); Sir Robert Hitcham's Charity *; Ruthin Charities *; Inclosure (No. 2) *.

Considered as amended—Pier and Harbour Orders Confirmation [Bill 148]; Land Drainage (Provisional Orders * [Bill 173].

Third Reading—Mutiny (East India) Act Repeal * [Bill 166]; Local Government Supplemental (No. 2) * [Bill 165].

LONDON (CITY) TRAFFIC REGULATION BILL [*Lords*]—SELECT COMMITTEE.

Sir JOHN SHELLEY moved—

"That in the case of the London (City) Traffic Regulation Bill Standing Order 185 be suspended, and that the said Bill be committed to a Select Committee of Fifteen Members, of whom Ten shall be nominated by the House and Five by the Committee of Selection."

The hon. Member said that the Corporation at present enjoyed substantially the same powers which were found sufficient for the regulation of traffic at the West End, and he believed that great inconvenience would result from assenting to the Bill in its premature shape. Except by passing under that absurdity, Temple Bar, it was impossible now to know when a man entered and when he left the City limits. A waggon laden with scaffold poles would be at liberty to pass down three-fourths of Chancery Lane; but when it touched the City bounds, it would be stopped—it could not be turned round without breaking all the windows; so there it would have to remain till such hour as the Lord Mayor and Corporation thought fit to let it proceed. He maintained that the Bill affected the public traffic of the metropolis quite as much as it did the private traffic of the City, and ought therefore to be referred to a tribunal before which the interests of the metropolis generally could be represented. He hoped his Motion would meet with no opposition; but in case there should be any hon. Member who was a stickler for Standing Orders, he begged to state that there was a direct precedent for his Motion in the year 1839, when Sir Robert Peel, at the instance of Mr. Hawes, then Member for Lambeth, consented to refer the City Police Bill, after it had been read a second time, to a Committee of fifteen.

Mr. Alderman SALOMONS seconded the Motion, and hoped that there would be ample discussion before the Bill passed into law.

Mr. CRAWFORD said, that the Corporation wished to leave this matter entirely in the hands of the House. They had no desire to enter into a course of legislation on this subject, and would be perfectly satisfied if they were permitted the free exercise of the powers they already possessed. As the evil which the Bill was intended to remedy was increasing every day, he trusted that the result of sending the Bill upstairs would not be to postpone it until next Session.

Colonel WILSON PATTEN did not think that his hon. Friend (Sir John Shelley) had shown any cause for taking this Bill out of the category of private Bills. He did not think that any reasons had been stated why the regular rule of the House should be deviated from. It was very inconvenient for a Committee, constituted of fifteen, to deal with any question; five was a much better number.

Sir JOHN SHELLEY would object to a Committee of five.

Sir GEORGE GREY said, that the Bill affected the traffic of the whole of the metropolis; and as it was a measure of a special character, a departure from the usual practice would be desirable. He should therefore vote for the Motion.

Motion made, and Question put,

"That, in the case of the London (City) Traffic Regulation Bill, Standing Order 185 be suspended, and that the Bill be committed to a Select Committee of Fifteen Members, of whom Ten shall be nominated by the House and Five by the Committee of Selection.—(*Sir John Shelley.*)

The House *divided* :—Ayes 95 ; Noes 100 : Majority 5.

THE NEW HOUSES OF PARLIAMENT. CONTRACT WITH MR. SZERELMEY.

QUESTION.

Sir **MORTON PETO** said, he wished to ask the First Commissioner of Works, Whether any Contract has been entered into with Mr. Szerelmey to arrest the decay of the stone of the New Palace of Westminster ; and, if so, under what advice the First Commissioner acted in entering into such further Contract with Mr. Szerelmey pending the Report of the Commission, which recommended that nothing further be done in the use of the process of Mr. Szerelmey ?

Mr. **COWPER** said, in reply, that there was no Contract now pending. There was a Contract entered into in 1860, but no works were executed under it since 1860.

Sir **MORTON PETO**: Is it now in force ?

Mr. **COWPER** : No, it is not in force.

Sir **JOHN SHELLEY** said, he wished to ask, whether there has been any examination made of that portion of the stone to which the solution has been applied, and whether the effect is satisfactory ?

Mr. **COWPER** said, the time that had elapsed since the application of the process referred to was not sufficient to enable them to come to any decision upon the point. He was, however, inclined to think that the Report would be favourable. It was, however, too soon to give any opinion upon the matter.

RELIGIOUS ENDOWMENTS (INDIA).

QUESTION.

Mr. **KINNAIRD** said, he wished to ask the Under Secretary of State for India, What measures have been taken by the Government of India for giving effect to the Act passed by the Council of the Governor General of India, " to enable the Government to divest itself of the management of Religious Endowments " ?

Mr. **T. G. BARING**, in reply, said, the Act, which had been very recently passed, and which would be laid on the table, gave the local Governments full powers to act, and did not require any further measures on the part of the Government of India. It was possible, however, that the latter might think it advisable to issue instructions on the subject.

PILOTAGE AUTHORITIES OF SHIELDS.

QUESTION.

Mr. **INGHAM** said, he would beg to ask the President of the Board of Trade, Whether a Provisional Order is in preparation to transfer the jurisdiction as to Pilotage now exercised in the port of Shields by the Trinity House of Newcastle, to a new Pilotage authority, in compliance with the several applications made to the Board of Trade by persons interested in the Pilotage of the district ?

Mr. **MILNER GIBSON** said, in reply, that various suggestions had been made by persons interested in the Pilotage of the Tyne for effecting a new Pilotage jurisdiction. Those suggestions were under consideration, but at present no Provisional Order was made ; and, from the present advanced period, he thought there was little chance of the matter being settled in time for any confirming Act to pass in the present Session.

Mr. **R. HODGSON** said, he wished to know, whether there will be any objection to place the Correspondence relating to the Pilotage of the Tyne before the House.

Mr. **MILNER GIBSON** said, there would be no objection to place the Correspondence on the table, but many of the suggestions were made verbally.

THE ST. HELENA REGIMENT.

QUESTION.

Colonel **VANDELEUR** said, he would beg to ask the Under Secretary of State for War, Whether there is any intention of breaking up the St. Helena Regiment ; and, in that case, how the officers and men are to be disposed of ?

The Marquess of **HARTINGTON** replied that it was not intended that the St. Helena Regiment should be immediately disbanded. But it was intended to be absorbed by the gradual draught of the men into other regiments. A considerable number of the Officers had been already transferred to a West India Regiment.

THE MHOW COURT MARTIAL—COLONEL CRAWLEY.—QUESTION.

Mr. **CONINGHAM** said, he rose to ask the Under Secretary of State for War, Whether the Court Martial about to be held upon Colonel Crawley, of the 6th Dragoons, and the consequent inquiry into the Court Martial at Mhow upon Paymaster Smales, will take place in this country? He also wished to know whether there is any objection to lay upon the table the Report of the Judge Advocate upon the case?

THE MARQUESS OF HARTINGTON, in reply, said, it had been decided that Colonel Crawley should be recalled to this country for the purpose of being tried by court martial. He regretted he could not produce the Report of the Judge Advocate, as it was contrary to practice to lay upon the table the legal opinion of the Law Advisers of the Crown.

MR. CONINGHAM said, he had another question to ask with reference to the parents of Serjeant Major Lilley. On coming into the House, he had received a note requesting him to ask when the pension which has been promised to the father and mother of Serjeant Major Lilley will be given, as they are now very old, have been deprived of their son's assistance for more than a year, and if the pension is not granted soon, it will be useless.

THE MARQUESS OF HARTINGTON said, he regretted there had been any delay; but he hoped Serjeant Major Lilley's relatives would receive a communication within two or three days.

MR. BENTINCK said, he wished to know whether there is any precedent for holding a court martial in this country for an offence which had occurred in India?

THE MARQUESS OF HARTINGTON said, he could not tell whether there was any precedent, but he could inform the hon. Gentleman that the Judge Advocate had been consulted as to the law of the case, and he entirely concurred in the course which it was determined to take.

UNITED STATES—RECRUITING FOR THE FEDERAL GOVERNMENT.

QUESTION.

MR. FERRAND said, he rose to ask the Secretary of State for the Home Department, Whether he has received from the magistrates or police of Leeds a Report stating that agents of the Federal Government of America were recruiting in that town, and that the men were sent to the American Consul at Liverpool; if so, whether he will place it and his reply upon the table of the House?

SIR GEORGE GREY replied, that he received not long ago a letter from one of the magistrates of Leeds, enclosing a communication made to him by the chief constable of that town with reference to persons said to be engaged in recruiting there for the Federal Government. That letter was submitted to the Solicitor of the Treasury, with directions that papers should be laid before the Law Officers of the Crown, in order that they might advise whether the evidence was sufficient to require the institution of any proceedings with regard to it. The papers were still under consideration, and it would be highly improper to make any further statement as yet to the House upon the subject.

INDIA RAILWAY SCHEMES—QUESTION.

MR. SMOLLETT said, he wished to ask the Under Secretary of State for India, If application has been made, more particularly in reference to the Eastern of Bengal and Southern of Madras Railway schemes, for extension of those projects; if so, whether the applications have been complied with, and further guarantees of interest granted, payable from the Revenues of British India?

MR. T. G. BARING said, in reply, that the Secretary of State for India in Council had offered to guarantee £650,000, at 4¾ per cent, for the completion of a certain part of the original project of the Eastern of Bengal Railway. The Great Southern of India Company had been also permitted to complete their original project by connecting their line with the Madras Railway at a cost of £500,000—£350,000 to be raised in shares at 4¾ per cent, and the remainder on debentures at 4½ per cent.

ITALY—COMMERCIAL TREATY.

QUESTION.

MR. BAINES said, he wished to ask the Secretary of State for Foreign Affairs, Whether it is true that the gentleman who was engaged in negotiating on the part of England a Commercial Treaty with Italy has returned from Turin without having succeeded in his object?

MR. LAYARD said, in reply, that the treaty was not signed; and Mr. Mallet, of the Board of Trade, who was sent to Turin, had returned to this country, in consequence of certain difficulties arising, for the purpose of consulting the President of the Board of Trade; but he trusted that those difficulties were not of a nature to affect the completion of the treaty.

THE KNOUT IN POLAND.

EXPLANATION.

Mr. LAYARD said, he wished to make a statement with respect to a Question put to him the other night by the hon. Member for the county of Cork (Mr. Scully), who asked whether Government had received any information with respect to a Proclamation said to have been issued by General Mouravieff, that Polish women were to be subjected to the knout for wearing mourning. He stated that no such information had been received by Her Majesty's Government, and regretted that he was not able to give a denial to the report which appeared in the public papers. Since then a telegraphic message had been received from St. Petersburg, and the Russian Government requested Her Majesty's Government to state publicly that no such order had been issued. At the same time, he was bound to say that the reports which Her Majesty's Government received from Poland and Russia tended to confirm in many respects the fact that numerous cruelties were practised.

THE AMERICAN BLOCKADE.

QUESTION.

Lord ROBERT CECIL said, he rose to ask the Under Secretary of State for Foreign Affairs, Whether any statement, official or non-official, has been received at the Foreign Office on a grave subject mentioned in the news from America? It was stated to be decided by the Prize Courts, that if American cruisers captured a vessel going from one neutral port to another, and if subsequently there were grounds for believing that it was going to run the blockade, that vessel might be seized.

Mr. LAYARD replied, that no such news as reported in the public press had been, to his knowledge, received by Her Majesty's Government.

POLAND.

POSTPONEMENT OF THE ORDERS OF THE DAY.

Motion made, and Question proposed, "That the Orders of the Day be postponed till after the Notice of Motion on the affairs of Poland."—(*Viscount Palmerston.*)

Mr. SOMERSET BEAUMONT appealed to the hon. Member for the King's County (Mr. Hennessy), to consider whether it was a prudent or reasonable opporunity, in the present extraordinary condition of the diplomatic negotiations, to bring on a debate about Poland. Notes had been sent to the Russian Government from all the Powers, and the answers returned by Russia were of a conciliatory nature, which induced further communications to be made on the part of the Western Powers. On Friday night, the noble Lord the Secretary for Foreign Affairs stated in his place in Parliament, that on last Wednesday despatches nearly identical in character had been sent to the Russian Government by three great Powers, and that as soon as an answer should be obtained, the noble Lord would lay it before Parliament; and so anxious was the Foreign Minister to comply with the natural impatience of the House, that he further stated that if an early answer did not arrive from the Russian Government, a copy of the note sent from the English Government would be presented to Parliament without further delay. He therefore, being as solicitous as the hon. Member for the King's County for the interests of the country whose cause the hon. Member had so frequently and ably advocated, asked whether the present occasion was not premature for the discussion. They knew nothing of the six points mentioned in the foreign journals, and described as sufficient, when developed, to place Poland in a position of lasting peace; and while those transactions were pending, discussions in that House might prevent further negotiations of that character. He therefore appealed to the hon. Member to postpone, until a later period, the bringing on of his Motion.

Mr. KINGLAKE rose to support the request of the hon. Member for Northumberland. He thought that the House was not in a position to discuss these transactions, and the mode in which the Government had conducted them, when the House was in absolute ignorance of the last step taken by the Government. Under such circumstances, they could neither criticise nor advise. He knew that the Government was under a sort of obligation to move that the Orders of the Day be postponed until after the Motion on Poland; but the promise of the Government on that point did not in any way bind the House, and he submitted that the present was not the occasion when they ought to discuss the question of Poland. They ought to know what they were discussing. It had been his lot on other occasions to interpose discussions in the midst of pending negotiations, but he had always done so when he knew what those negotiations were and was well acquainted with the last step of the Government. On the present occasion he must acknowledge his entire ignorance of what were the contents of the document called the "Preliminaries" submitted by the Government to Russia. If there was one feature more conspicuous than another in Earl Russell's administration of Foreign Affairs, it was his great readiness to lay before Parliament all important papers; and the noble Earl had been so forward on the present occasion as to declare not only that he would lay all those papers connected with the affairs of Poland before Parliament the moment an answer arrived from Russia, but he had gone the extraordinary length of stating, that if the Russian Government delayed the answer, then, without waiting for it, all the papers should be presented to Parliament. When they knew that the papers were within forty-eight hours of being before them, why ought they to conduct the discussion in the dark? They ought to wait until the papers were produced, and they could then apply their criticisms to the real facts of the case, instead of to hypothetical notions concerning them. It was possible that the interest of one of the high Powers would lead her to take a step in the direction desired by England, and that before the papers were ready they might hear of a forward movement on the Galician frontier. That would afford them a subject which they could usefully discuss; but, at the present, he was at a loss to see how the proposed discussion could be of any value. Mere declamation in favour of Poland they had had already, and, in his opinion, they had produced a very ill effect on the cause of that country. Animated by that zeal which they all felt for a people suffering such injuries as the Poles, they had pressed the Government to speak out as to their intentions, and to say whether they intended to act or not; and the result was that Lord Russell had elsewhere been driven to say that England, for the sake of Poland, would not go to war. From that moment the power of the Government on behalf of Poland was limited. The debate now pressed on the House of Commons would have the same effect, and, so far from strengthening, would weaken, as the phrase was, the hands of the Government, as the result of the discussion in the House of Lords had weakened them. It was an unpleasant thing, no doubt, to look forward dubiously and tremulously, as it were, into the future, and to go without light; but to go without light, when they knew that the Government were ready to supply them with the light they wanted within a few hours, would be wilfully and intentionally to take a step in the dark, and was quite inconsistent with the accustomed wisdom of the House of Commons.

VISCOUNT ENFIELD said, he could not refrain from saying how cordially he endorsed every word that had fallen from the lips of the hon. Gentleman the Member for Bridgwater. The question of Poland was one of immense magnitude and importance, whether with regard to the present or to the future; but during the ten years that he had been a Member of the House he remembered how careful the House had ever been, when negotiations were pending or in progress, to refrain from uttering any expression that could fetter the hands of the Executive. When, however, the negotiations had been completed, the House had always been ready to pronounce a fearless opinion. He could not help thinking that a delay of some weeks in regard to the proposed discussion would not be unfavourable to the cause of Poland. He could not help saying, with all respect and deference to the hon. Gentleman opposite, that it would reflect credit on the House if, at a moment like the present, of great difficulty and danger and delicacy, it refrained from uttering what he must call a premature opinion.

Question put, "That the Orders of the Day be postponed till after the Notice of Motion on the Affairs of Poland;" and Mr. SPEAKER declared that "The Noes have it."

Whereon several hon. Members (among whom the hon. Member for the King's County was emphatically audible) cried "The Ayes have it." Mr. SPEAKER again put the Question, and declared that in his judgment "The Noes have it;" but many hon. Members crying "The Ayes have it," and demanding a division:—The House *divided*:—Ayes 110; Noes 165: Majority 55.

MR. HORSMAN: What has just taken place is something so new, so unusual, and so irregular in our Parliamentary proceedings, that I really think, for the character of the House, it ought not to pass without notice. To put myself right as a question of Order, it is my intention to conclude with a Motion. The hon. Member for the King's County gives a notice on the question

Poland. On Monday last he has the power of bringing it on; but he is requested by the Government to postpone it, and the Government in the face of the House makes a compact with him—in the name of the House, with the assent of the House, without a single dissentient voice—that if he gives up that right, he shall have the opportunity of bringing forward the question to-day. In consequence of that compact, he foregoes his opportunity; and to-day, when the noble Lord at the head of the Government, who is the best judge whether a discussion will embarrass the Government, comes forward to fulfil his promise, hon. Gentlemen get up without notice, take the House by surprise, and propose that that understanding with the House shall be violated. I say that is a surprise upon the House—it is a breach of faith with the House—it is a violation of the compact with the hon. Member for the King's County. There is no notice that any such objection will be taken. But the objection itself rests upon an ignorance of Parliamentary law and usage which surprises one in the very youngest Member of the House. We all know that when there are delicate negotiations going on, and when the Government tell us that a Parliamentary debate would be injurious to the public interests, nothing is so unwise, nothing so mischievous, as to raise a desultory discussion involving no issue. But the usage of Parliament is very different when the Government themselves lay papers on the table and invite discussion. Are we not to read those papers? If we read them, are we not to form an opinion on them? If we form an opinion on them, are we not to express it? Is it not a fact that the diplomatic power of the Government is multiplied a hundred-fold by its being known that there is a unanimous and earnest public opinion at their back? On the present occasion the Government have with unusual promptitude laid papers on the table; and, so far from deprecating discussion, the noble Lord at the head of the Government takes a course which I think is as politic as it is manly—he even facilitates discussion by offering the hon. Member for the King's County a day. What do the Gentlemen behind him now say? They exclaim, "We will not accept the noble Lord's invitation to discuss—we will not criticise—we will not commend—we will not counsel—and we will not confirm. We wash our hands of all responsibility, casting it upon the Government. If they fail in what they are doing, then we will censure and punish them. If they succeed, then we will praise them. But, in the mean time, we will suffer them to drift without that Parliamentary helm and compass which would assist them." I say such language is an abnegation of our public duty, as cowardly as it is unpatriotic. It is unfair to the Government, and it is treasonable to the public interests. Even foreign Governments have a right to know what is the public opinion of England on this question. Some Governments have been referred to which, it is said, are rather disposed to go forward too fast. Others are irresolute and hanging back, and there are hon. Gentlemen in this House who wish to screen them. But I say Governments abroad as well as Government at home have a right to know how far the public opinion of England goes with their policy. I have a strong opinion that if at the time of the Crimean and Italian wars this House had not abdicated its functions, some of those results we have since deplored might have been avoided. I say that now, when the Government themselves, who are the best judges of what is or is not convenient to discuss, do not deprecate discussion, when they invite discussion and facilitate it, and when in order to facilitate it they make a compact for giving a day, it is not much for the character of the House that that compact should be broken by such a surprise as we have witnessed to-night. I think we should understand exactly what is to be the course taken on this question. I apprehend the hon. Member for the King's County will not indefinitely postpone his Motion. I apprehend the Government themselves will not depart from the understanding upon which they got him to postpone it last week. Although by a surprise the Motion has been postponed for the present, I, for one, protest against any long postponement. I trust the hon. Member will take the first opportunity of bringing it forward. Nay, more; what has just taken place has been such a surprise, without notice, that I think the noble Lord at the head of the Government will probably feel it right to facilitate the discussion by giving another day to the hon. Member for the King's County, when I hope the opinion of the House will be taken more deliberately and after further notice than has been the case to-night. With a view to put myself right as a matter of Order I conclude by moving the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."

Viscount ENFIELD: I entirely deny the assumption contained in the speech of the right hon. Gentleman (Mr. Horsman), that any Member of this House is not at liberty to take any course he thinks fit. I can assure the right hon. Gentleman that I do not yield even to him in my sincere hope that, through the medium of negotiation, Poland may become free. At the same time, I think that to discuss the subject prematurely would be unwise and impolitic. The right hon. Gentleman says that within his recollection he does not think any interruption of public business such as that of to-night has taken place. Allow me to remind him of two occasions within my own memory on which precisely the same thing happened; with this exception—that on both occasions the appeals made by independent Members were listened to by the hon. Gentleman who proposed to submit Motions to the House on questions connected with foreign policy. In 1855 the right hon. Baronet the Member for Herts (Sir E. Bulwer-Lytton) had a Motion of considerable importance on the subject of the Crimean war and the negotiations then going on. An appeal was made to him on the very day the Motion was to come on, and he at once withdrew it. [Mr. Horsman: Lord Russell resigned, did he not?] Again, either last year or the year before, on, I think, two occasions—certainly on one occasion—the hon. Member for Galway (Mr. Gregory) consented to waive an important discussion with regard to the Northern and Southern States of America, in deference to the generally expressed opinion of the House that it would be ill-advised to discuss American affairs at that time. I contend, that when a crisis like this in Poland takes place, it is the duty of every Member who thinks discussion will be ill-advised to adopt the course which the hon. Members for Newcastle and Bridgwater have pursued to-night. The best confirmation of that policy is to be found in the votes of the 165 Members who constituted the majority.

Mr. HORSMAN: I did not say it was not common for hon. Gentlemen to give way when appealed to when negotiations are pending. I said, on the contrary, it was the invariable usage of the House to do so. What I added was this— that there was no instance, when the Government themselves had raised no objection, when they were even willing to facilitate discussion, of private Members taking the question out of the hands of the Government and objecting to a discussion which the Government was prepared to permit.

Lord ROBERT CECIL: It seems to me that the two cases cited by the noble Lord fail in this—that they take no cognizance of the contract entered into with the hon. Member for the King's County. The noble Lord might as well say that because a man has consented to forego a debt, therefore you are not bound to discharge any debt you have promised to pay. On Monday last the hon. Member for the King's County had a right, of which no one could have deprived him, to bring the question of Poland before the House. He was requested by the leader of the House, speaking in the name of the party behind him, to give up that opportunity. On the faith of the noble Lord's statement that he would give him another night, the hon. Member yielded to the request. The noble Lord is bound in honour, and everybody who supports him is equally bound, to carry out that agreement. Well, if this precedent is to be established, it will be impossible henceforth to place any reliance on a word the noble Lord says with regard to the conduct of public business. I do not, of course, make any imputation upon the noble Lord, who is doubtless anxious to redeem his pledge; but it has always been understood that the leader of the House has the management of business in his hands, and I never heard of any exception being taken to that rule. I do not want to go into the question whether it is desirable to discuss the affairs of Poland or not. That is a small matter, compared to a precedent which will utterly destroy the value of promises made by the leader of the House with respect to the conduct of public business. But I have a suggestion to make to the noble Lord. His honourable pledge is not loosened by the division which has just taken place. He is bound to give every facility in his power to the progress of the Motion of the hon. Member for the King's County to-night. There are several Orders of the Day on the paper; they will be put successively; but I maintain the noble Lord is bound in honour not to go on with one of them. We shall thus soon get to the Motion respecting Poland. Unless the noble Lord takes that course, his pledge is forfeited, and it will be impossible henceforth to have any confidence in his promises to the House.

MR. NEWDEGATE said, that having, on a previous occasion, urged the House not to be betrayed into taking the management of foreign affairs out of the hands of the Government, he rejoiced most sincerely at the decision at which the House had arrived. They had decided against discussing a question, not because it might be inconvenient to hon. Members, but because they would not permit the Government to evade the great responsibility which attached to those whose duty it was to conduct the foreign affairs of the country. It was known to the House that negotiations were in progress, and that the settlement of this question depended not exclusively on Her Majesty's Government, but on the Government of Russia and the other Powers in conjunction with whom the negotiations were conducted. Now, would it be becoming on the part of the House to step in and interrupt those negotiations by any expression of opinion, when they were in total ignorance of the circumstances? He thought the House had only vindicated its high character by refusing to listen to a speech on one side, when it seemed impossible that it should receive a sufficient answer. The House was not a mere debating club. Hon. Members were the representatives of the people; it was their duty to advise the Government, but, above all, not to pronounce an opinion on the performance of those functions which attached to them in their policy with regard to foreign Powers, until informed of the real position of affairs. He thought that the House, so far from having done anything derogatory to its high character, had by its vote pronounced this decision—that it would not be led to interfere in the conduct of that business which was the duty of Her Majesty's Government to perform, and thus invalidate the responsibility which rested upon them.

MR. CONINGHAM said, he did not know the extent of the control the noble Lord the First Minister exercised over his followers; but he (Mr. Coningham) could speak from his experience the other night as to the noble Lord's attempting to suppress free discussion when a serious grievance was brought before the House by an independent Member. The noble Lord attempted to suppress that free discussion which, as an independent Member, he claimed as a right, and thought fit to administer to him (Mr. Coningham) a most severe rebuke, which, he ventured to say, was most uncalled for and most unnecessary. He would remind the House that the Government had been obliged to yield to the demand which he had made. ["Question!"] He was speaking to the Question; and he wanted to know whether it was the function of the Prime Minister to check free discussion, and to crush independent Members of that House? Did the noble Lord imagine that he was placed there for that purpose by the Liberal party? ["Question!"]. When the Question related to a Court job at Kensington, the noble Lord was ready enough to postpone most important business in order to carry on that discussion; but when he (Mr. Coningham) as an independent Member brought forward a subject of vital interest, the conduct of the noble Lord to him had been most unjustifiable and unwarrantable. He thought it was high time that they should know whether the Horse Guards—[*Loud cries of* Order!]—and the War Office were to be made really responsible to Parliament, and whether their responsibility was to be a reality and not a sham. He thought the hon. Member for the King's County had good cause to complain of the conduct of the Government; because he would not be persuaded that if they had endeavoured strenuously to fulfil their pledge, they would not have been able to secure a majority in favour of going on with the discussion on Poland.

MR. BENTINCK thought the debate was getting into a rather confused state. He agreed with the hon. Member for North Warwickshire (Mr. Newdegate) in what he had said with respect to the Motion of the hon. Member for the King's County; and had the discussion gone on, he (Mr. Bentinck) should have been prepared to state the grounds on which he thought it would have been better not to bring it forward. But that seemed to have been lost sight of in the much larger question raised by the noble Lord the Member for Stamford (Lord Robert Cecil). He agreed with the noble Lord, that unless some steps were taken by the noble Lord at the head of the Government to relieve the House from the awkward—he might almost say painful—position in which it was placed, it would be hard to say what the effect might be with regard to their future proceedings. If they could not place reliance upon the promises of the distinguished Member who was, for the time, recognised as the leader of the House, there would be an end of all regularity in their proceedings.

In what position was the hon. Member for the King's County? Much as he objected to the Motion of the hon. Member, yet having waived it on a former occasion, his right to bring it forward was undisputed; and if the pledge given by the noble Lord was not redeemed, little credit would be reflected on the House, and great inconvenience might be experienced in future. The noble Lord ought in the quickest and readiest way to redeem the pledge which he had given to the hon. Member for the King's County.

Lord ROBERT MONTAGU congratulated the noble Lord the Member for Middlesex (Viscount Enfield) on his entire independence of party ties, because he had declared that he was no longer a follower of the noble Lord at the head of the Government. They had heard a good deal about the mischief of governing by a minority. The noble Lord was often head of a small minority, but the Members on his (Lord Robert Montagu's) side of the House had often rendered assistance—as they had done on this occasion—to enable the noble Lord to redeem his pledge. But that evening the noble Lord had shown not only that he was in a small minority, but that he could not even govern his own followers. Unless the noble Lord in some manner redeemed his pledge, he would stand before the country in the very awkward light not only of breaking his promise, but attempting to govern by a very small minority of that House.

Mr. SOMERSET BEAUMONT said, that he made his appeal to the hon. Member for the King's County without previous communication with any Member of the Government, and without having made up his own mind to any particular course. He had only spoken to his hon. Friend the Member for Bridgwater and one or two others upon the subject before he came down to the House, and he had not in the least made up his mind to divide the House. To his great surprise—though he attributed it to no want of courtesy—when he made his appeal to the hon. Member for the King's County, he received no answer. He had frequently heard appeals of a similar character made to hon. Members, and he had always heard those to whom they were addressed, if they did not yield to them, give some cogent reason for not doing so. When he came into the House, he did not know what would be the feeling of hon. Members around him; but when he mentioned the subject, he was assured by many of them that he was perfectly warranted in the course which he proposed to take, and that there was ample reason for the adjournment of the discussion. He was not aware, either as a matter of honour or of Parliamentary usage, that Members of that House were bound by arrangements which were made by Members of the Government, and therefore he did not think himself in the least controlled by the engagement into which the noble Lord had entered with the hon. Member for the King's County.

Mr. PEACOCKE hoped that the noble Lord at the head of the Government would not yield to the appeal which had been made to him by his noble Friend the Member for Stamford (Lord Robert Cecil). Did he do so, it would be a great discouragement to those gentlemen who formed the majority. He had himself voted in the majority, because he thought that no compact made between the noble Lord and the hon. Member for the King's County was binding upon that House, and he thought that this was a most inopportune moment for the discussion of this question. He candidly confessed that in giving that vote he intended it to have a further significance. He desired it to be understood as protesting against the intention which many hon. Gentleman seemed to exhibit, to take the conduct of foreign affairs out of the hands of Her Majesty's Government. He wished to ask the noble Lord a question with reference to a statement made by the hon. Member for Southwark (Mr. Layard). That hon. Gentleman had got up, as the French said, *à propos des bottes*, and stated that Her Majesty's Government had received a contradiction of the statement that the Polish Government had ordered the knout to be applied to Polish ladies who wore black; but he went on to say that the accounts which the Government received of the barbarities committed by the Russians amply warranted the rumours that were in circulation. He wished to know whether this was merely an indiscretion on the part of the hon. Gentleman himself, or whether the statement had received the sanction of Her Majesty's Government?

Mr. DARBY GRIFFITH hoped the House was not going to censure the expression which had been used by the hon. Under Secretary for Foreign Affairs. He did not think it right for the hon. and learned Member for Maldon (Mr. Peacocke) to attempt to muzzle the hon. Under Secretary, and that in giving an answer respecting certain outrages he was restricted from giving information on any other part of the subject. Such a doctrine as that, if carried out, would reduce hon. Members on the Ministerial bench to perfect nonentities. The Russian Government were ready to give official denials; but let it not be supposed that the denial given was an answer to all the atrocities of the Russian Government. Hon. Members might give what credence they chose to the Russian statement, but he confessed he must reserve his own opinion on the subject, for he knew what Russian denials were.

VISCOUNT PALMERSTON: I can assure the House I was taken by surprise both by the Motion made by my hon. Friend and by the decision which the House came to. The only desire of Her Majesty's Government was to show that courtesy to the hon. Member for the King's County which he had shown to us by postponing his Motion; but, of course, it must be obvious to everybody that no Government can answer for the House. All they can do is to engage to give those facilities which, in the conduct of the business of this House, they are able to afford; and I shall be quite ready, as far as I am concerned, to adopt the proposal which the noble Lord (Lord R. Cecil), has made for putting off the Orders of the Day, so as to allow the House to hear the hon. Member for the King's County at a not very late period of the evening. There are, however, several Orders belonging to private Members over which the Government can have no control; and, at the same time, I hardly think such a course would be respectful to the majority which has affirmed by a large preponderance of votes that in the opinion of those hon. Members it is not advisable, to-night at least and in the present circumstances, that a discussion should take place of the affairs of Poland. If I had thought that injury to the public service would arise from that discussion, I should have felt it my duty to state so; and I am convinced, from the manner in which he has performed his duties in this House, that the hon. Member for the King's County would have yielded to any suggestion of that kind. I cannot say that such a discussion would, in my opinion, be injurious to the public service. I think, however, the carrying of any one of the Addresses of which notice has been given would be injurious to the public service, and I should have felt it my duty to-night, and shall feel it my duty when these Motions are made, to oppose them, because I think they would render further negotiation utterly impossible. Although, therefore, the discussion might not have been injurious — I hope it would not — I think the Motion, if carried, would have shut the door against all amicable interference in favour of Poland. As the discussion is not, I presume, to come on to-night, I think it would be satisfactory to the House that they should know shortly the substance of the communication which, on the 17th of the month, was sent to St. Petersburg in relation to the affairs of Poland. I may add that a communication, very nearly identical in its terms, was made by the Government of France, and a similar communication also by the Government of Austria, and that all three would probably reach St. Petersburg about the same time. We should be perfectly ready to lay on the table of the House the despatch to which I allude, but obviously it would be more courteous to the Government of Russia to wait till a suitable time has been afforded for them to make their reply. There can, however, be no impropriety in stating to the House the substance of the communication which we, in concert with France and with Austria, submit for the consideration of Russia. These suggestions or recommendations are comprised in six points. The first is a general and complete amnesty. The next is a national representation according to the Constitution granted by Alexander I. in 1815. It is fair to say that the Austrian Government take a somewhat modified view of that proposal; but our opinion is that to comply with the just expectations of the Polish nation the Parliament should be on the footing of the charter granted by Alexander. This is the third point—that Poles alone shall be appointed to public offices, in such a manner as to form a distinct national Administration, such as will command the confidence of the country. The fourth is full and entire liberty of conscience, and repeal of the restrictions imposed on Catholic worship. Fifthly, that the Polish language shall be acknowledged in the kingdom as the official language, and used as such in the administration of the law, and in education. And sixthly, that a regular and legal system of recruiting shall be established, so as to prevent the recurrence of proceedings such as those which immediately heralded the insurrection. In addition to those points, we recommend and strongly urge that there shall be a cessation of hostilities—because, in our opinion, unless the contests between the insurgents on the one hand, and the Russian troops on the other, be put an end to, negotiations cannot rest on any stable or satisfactory basis. The Austrian Government do not actually concur in all these views, but they urge the Emperor somewhat to the same effect. I trust that when we are able to lay the despatch containing these six points on the table of the House, the House will be of opinion that Her Majesty's Government has done everything that is likely to be attended with success. Because in these matters not only must we consider what might be desirable, but what can be obtained. I am asked by an hon. Member (Mr. Peacocke), on what grounds my hon. Friend the Under Secretary of State for Foreign Affairs, stated that General Mouravieff had not issued an order that ladies wearing mourning were to subjected to corporeal suffering, and on what grounds he stated that other atrocities had been committed by the Russsian troops. The first statement was founded on a telegraphic communication forwarded at the desire of the Russian Government, who, having learnt the imputation, were anxious to have it contradicted. The second statement was made on the authority of a despatch received by Her Majesty's Government, in which, among other things, this transaction is reported—that at a place not far from Wilna, a body of Polish insurgents, consisting, I believe, of about 300, were surrounded by a superior force; that they laid down their arms, and after they had surrendered, by order of the commanding officer, who was referred to to know what should be done, the Russian troops rushed upon them with their bayonets, and killed upon the spot forty of those who so surrendered, and twenty others whom they severely wounded died afterwards in hospital. That is a statement made, I believe, on good authority; and that, among other things, was what my hon. Friend alluded to as instancing the barbarity of the Russian troops. At the same time, truth compels me to say that we also have statements of proceedings on both sides which make humanity shudder, and the prevalence of which is the strong reason which induces us to urge upon the Russian Government that there should be a suspension of hostilities, that these atrocities which are disgraceful to human nature, which desolate the country, lay waste the products of industry, and are attended with immense loss of life on both sides without any apparent result, should cease, and that tranquillity may be restored to that unhappy country. That is the statement which I have to make. I hardly think that it would be of much use, or that it would be very respectful to the majority to press on this Motion, because those who are averse to its coming on before the Orders, might, of course, carry a Motion of Adjournment. I shall, undoubtedly, feel it my duty to give to the hon. Gentleman the Member for the King's County, every facility for bringing on his Motion on another day. I am bound to say, that when appeals were made to me by my hon. Friends, I sat waiting for the hon. Member to rise. I thought, till the division was called for, that he would either give the reasons why he thought the Motion should come on, or else say he would accede to the postponement. But, of course, I voted in accordance with my pledge, and it is not my fault if the House has decided otherwise.

MR. DISRAELI: The House is in some embarrassment notwithstanding the observations of the noble Lord. I myself thought that this was hardly a convenient opportunity for discussing the Polish question. But the noble Lord, the leader of the House, and the First Minister, being of a contrary opinion, I could not demur to the arrangement which he had made. And when afterwards the House had to decide whether they thought it was a convenient occasion or not, I left the House feeling that it was due to the hon. Member for the King's County that I should not vote against the compact. The noble Lord says that he waited with some expectation to hear what the hon. Member for the King's County had to say on the question of adjournment. But surely, if the noble Lord had risen after the three hon. Gentlemen who sit behind him had made their appeals, and said, "The Government feel no inconvenience in having the Polish question discussed to-night," all opposition would have ceased, and the House would not have been placed in the difficult position in which it now is. It is easy for us to make appeals to the noble Lord to give the hon. Member for the King's County another opportunity to bring forward this question; but what security can the hon. Member have that he will enjoy the opportunity, if granted; and what assurance has the noble Lord, if he enters into an engagement of the kind, that he may not be defeated by his own supporters? I think that what has happened to-night will add considerably to the difficulty of leading the business of this House. After this point had arisen, and been discussed, to the surprise of the House, the noble Lord rises in his seat and makes a very important communication. Really I cannot understand, if the noble Lord was prepared to make a communication of that kind, what inconvenience could have occurred if the debate had taken its natural course, and if that communication had been made at the close of the debate. It was impossible to listen to the noble Lord without a thousand considerations occurring to hon. Gentlemen on both sides of the House, suggested by that communication—points upon which we naturally wish to have some information. On this, for example :—The noble Lord lays great stress upon the advice which Her Majesty's Government have tendered to the Government of Russia, that they should grant a cessation of hostilities. No doubt a cessation of hostilities is greatly to be desired, not only in order to put an end to those mutual massacres of which we have heard so much, but also because every one feels a cessation of hostilities is the best basis of diplomatic action. But I should like to have information as to the means by which the Russian Government can attain a cessation of hostilities. Is the Government of Russia in communication with the Government established by the insurgents? Where is that Government? If it be, as we have been led to believe, a secret Government, how is the Russian Government to take measures to obtain a cessation of hostilities? I shall be glad to know from the noble Lord what information is in his possession as to the existence of the insurrectionary Government, and the means by which the two Governments in Poland can be placed in communication with each other. These are points which naturally arise after the unexpected communication made by the noble Lord. I must refrain from giving any opinion in detail upon the probable results of the propositions of Her Majesty's Government. One thing is quite clear :—if those propositions are accepted, and if they be practicable, they will only bring about a state of things very similar to that which existed before, and which must be considered essentially of a provisional character. They do not, as it seems to me, offer any solution of the difficulty. In my opinion, there are only two solutions—the unity of the Russian empire, or the independence of Poland. These are two intelligible policies. No doubt, in discusssion much may be said on both sides. The propositions of Her Majesty's Government partake entirely of the character of mere diplomatic interference. They can do nothing—they can produce no effect whatever on the circumstances with which Her Majesty's Government have to deal. I cannot say that the policy which Her Majesty's Government has shadowed forth to-night is one which is at all distinguished by prescience, by sagacity, or by the firmness which leads to results. He must be a very sanguine politician who can suppose the propositions of Her Majesty's Government will be accepted by Russia. If adopted, they can only raise a phantom of Polish independence which, in due course, must lead again to a conjuncture such as we have to contend with at present; and no solution of the state of affairs which has periodically disturbed Europe appears to me to be indicated in the policy of Her Majesty's Government.

MR. MONSELL trusted that after the division which had taken place the House would not now allow itself to drift into a Polish debate. He would, however, ask the noble Lord to clear up one point. The noble Lord said that Her Majesty's Government, in accord with the Governments of France and Austria, had made certain propositions in regard to Poland. But the noble Lord had not explained to the House what he meant by Poland—whether he meant the Grand Duchy of Warsaw only, or whether he meant to include Lithuania, Volhynia, and Podolia. He believed that the other portions of Poland had too much nobility of spirit to abandon their fellow-countrymen who were now struggling for their independence, for the sake of obtaining any advantage for themselves.

SIR HENRY WILLOUGHBY said, that a discussion seemed to him extremely undesirable; and if he wanted a proof of it, he found it in the fact that the House had compelled the noble Lord to make a statement communicating the substance of a despatch to which no answer had been received. Could anything be more unlike true diplomacy, more impracticable, and more likely to defeat its own ends than writing important despatches, and discussing them in the House before they were answered? He believed that these discussions were attended with unhappy results to the independence of Poland, and he, for one, deprecated them.

MR. HENNESSY said, he bowed to the decision to which the House had come. With reference to the proposal of the noble Lord below him (Lord Robert Cecil), he could assure the House that nothing could be further from his wish than to do anything opposed to the feelings of the majority of the House. He believed that both the majority and minority in the recent division were in favour of Poland, and anxious that something should be done for Poland, and he therefore did not regard the division as having anything whatever to do with the merits of the case. With reference to the arrangements made between her Majesty's Government and himself, he could only say that nothing could be fairer than the noble Lord's offer to afford him every facility to bring on the discussion; he cordially accepted the offer; and, instead of venturing to press the debate, he would, with the permission of the noble Lord, fix it for Thursday. He agreed, that until the propositions which the Government had announced that night were officially before them, it would be injudicious to debate them; and he could assure the hon. Member for Bridgwater and the noble Lord the Member for Middlesex, that he had never had any intention to raise a debate upon the proposals of the Government. He should have confined his speech solely to the Correspondence which had been laid upon the table, and upon which therefore Her Majesty's Ministers had invited discussion. The hon. Member (Mr. Kinglake) said that the propositions of the Government would probably in a few hours be made public; and the hon. Member's prediction had certainly proved accurate, for within a few minutes they were announced by the noble Lord. He believed that the question was now ripe for discussion, and he hoped that on Thursday, with the consent of the House, he might be permitted to bring the subject forward.

MR. SEYMOUR FITZGERALD: In reference to what has fallen from the hon. Member for the King's County, I think he ought to consider what was really the guiding motive of the majority of the House in the division which has taken place. Their object was not to dismiss altogether the discussion of the Polish question. The House was aware that certain propositions had been made by Her Majesty's Government, although they did not know exactly in what form they had been made, and they thought it desirable that discussion should not go on until some kind of answer had been given to those propositions. Now, I am as anxious as any one to have a discussion on this question of Poland; but I put it to my hon. Friend whether, when the majority has expressed its desire that the discussion should not go on until some answer has been received from Russia, it will be possible for him to bring it on so early as Thursday. At the same time, I do hope that at the earliest possible moment of the receipt of the answer of the Russian Goverment the noble Lord the leader of this House will give the hon. Member for the King's County that to which he is entitled—namely, an opportunity of raising this question. Then I think the House will be in a position to come to such a decision as, I believe, will most materially strengthen the hands of Her Majesty's Government in their negotiations. In reference to what has fallen from the noble Lord (Viscount Palmerston), I should like to ask two questions. It has been known for some time past that the Austrian Government has submitted six propositions to the Government of England and the Government of France—propositions which evidently have been accepted by the English Government with certain modifications. Now, the noble Lord said that the Austrian Government rather adhered to the idea that the future constitution of Poland should be something in the nature of that accorded by themselves to Galicia. I wish to know from the noble Lord whether we are to understand, although that is the opinion of the Austrian Government, yet that they have entirely agreed to the proposition of France and England that there should be a national representation accorded to Poland. There is another difference between the propositions originally made by Austria and those which the noble Lord has announced to us to-night. The Austrian proposition was, that the Poles should be in a large measure employed in the administration of Poland. The noble Lord has told us to-night that the proposition of the English Government is that Poles only should be employed in administering the government of their country. I wish to know whether that modification has been assented to by the Austrian Government; I wish to know, in fact, whether the six propositions which the noble Lord has, in substance, submitted to us, have the support of both the Government of France and the Government of Austria? With reference to the answer that has been given by the Under Secretary of State for Foreign Affairs, I presume he will lose no time in laying on the table those communications which are the foundation of the announcement he made this evening.

MR. SCULLY said, he hoped a reply would be given to the question whether the six propositions referred to all Russian Poland, or merely to that portion of it with which the Treaty of Vienna dealt. It would be necessary to know that before the six points came on for discussion. In fact, the whole affair was merely deluding the Poles, who would be the greatest fools in the world to lay down their arms until a treaty was concluded. It was equally absurd to suppose that the Russian Government would agree to place the Poles in the highest situations in the kingdom. If any foreign Power were to ask Her Majesty's Government to place Irishmen in that position in Ireland, they would be told to mind their own affairs. He had had Polish gentlemen coming to him to get him to raise the question of Poland in the House; but he always told them that it would be only deluding them if he were to do so, as they never would get anything from the English House of Commons, but tall talk. He was much obliged to the Under Secretary for Foreign Affairs for having communicated to the House the telegram which he had received about that hideous rumour that women were to be flogged; but if that was not to be done, other atrocities almost as bad were perpetrated. He had seen it stated about a month ago that a proclamation had been found in the pockets of the Russian soldiers calling upon them for the love of God and the Czar to butcher every Catholic Pole that might fall into their hands. He had received a letter from a Polish gentleman, which said—

> "The Czar now offers us his forgiveness. My countrymen have done nothing for which they ought to receive pardon. But they have a long score of wrongs against him, for which they will make him go upon his knees."

The writer added in a postscript, "Two thousand Minié rifles from Ireland would be most acceptable." The gentleman did not know, thought he ought to have known, there were no rifles in Ireland. Ireland was an unarmed nation. It seemed to him that the hon. Member for the King's County was in the position of the hon. Member for Liskeard (Mr. B. Osborne) the other night, when he confessed himself to have been "a miserable dupe;" but he would not lend him the least aid in bringing on the subject of Poland. He was satisfied that it would lead to nothing but mere vapouring, and would do Poland no good. Besides, there was no atrocity which the Russians had perpetrated which could not be matched by the atrocities committed by English soldiers in Ireland.

MR. WYLD said, that as far as they could gather, the basis of the propositions made by the allied Powers was the constitution granted to the Poles in 1815. He wished to know whether the propositions submitted to the Russian Government went to this extent—that the officials who were to have the administration of Poland were to be Poles, and also that that part of the constitution granted by the Emperor Alexander at Vienna—namely, a national army officered by Poles—was to be carried into effect.

VISCOUNT PALMERSTON: With regard to the questions of the right hon. Gentleman the Member for Limerick (Mr. Monsell), I have to say that "a complete amnesty" must of course apply to all who have been in arms against the Russian Government, whether within the Kingdom of Poland or the other provinces. The other arrangements relate, of course, only to the Kingdom of Poland, as described in the Treaty of Vienna. With regard to the question of the hon. Member opposite (Mr. S. Fitzgerald), I have to state that the six points which we have proposed were prepared by my noble Friend at the head of the Foreign Office, and agreed to by the Government of France, and, with some slight modifications, by the Government of Austria. But although it is my duty to state to the House what we have done, I am sure they will see it is not fitting I should enter into detailed explanations as to communications made to us by other Governments, and of which we are officially in possession. I have to state, generally speaking, the communications of France and of Austria are to the same effect as ours. I omit to give the names of other Governments who have made representations to the Government of Russia on the same subject. With regard to the question put by the hon. Member (Mr. Wyld), I think it would be rather a strong proposal to make to Russia, that she should organize a Polish army, to be officered by Poles.

MR. W. E. FORSTER hoped that the hon. Member for the King's County would not bring on a discussion so early as Thursday; and he did so for the reason that they were in a position different from that they occupied at the commencement of the evening, inasmuch as they had the propositions made to Russia by the Government, but they were not in possession of the reply of Russia. After what had passed, he felt sure that the noble Lord would give the hon. Member a day for the discussion, and that with the assent of the House—first, because of the original compact between the noble Lord and the hon. Member; and secondly, because, if the noble Lord's statement had been made before the division, a long discussion would have taken place that night. The House would be in a very false position if it attempted to enter into a debate on this question previous to Her Majesty's Government receiving an answer to the propositions they had made. He hoped, therefore, that the hon. Gentleman would wait a few days for that answer.

Mr. HENNESSY said, he should be most happy to do whatever the House might direct. He believed that it was the opinion of the House, that until the reply of the Russian Government was laid on the table, the debate on Poland should be postponed; and he presumed that at the proper period the Government would give him an opportunity for bringing it on.

Question, "That this House do now adjourn," — (*Mr. Horsman,*) — put, and *negatived.*

PASSENGERS ACT AMENDMENT BILL.

[BILL 143.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 3 (Definition of "Passenger Ship" enlarged).

Mr. CAVE proposed to leave out the words "in all," because the words rendered the meaning doubtful as to whether cabin passengers might not be included.

Mr. CHICHESTER FORTESCUE assented.

Clause 8 (Horses and Cattle may be carried in Passenger Ships under certain Conditions).

Mr. CAVE said, he had given notice of an Amendment to the effect that animals might be carried below. He had once been in a steamer in a gale of wind which caused her to strain very much, and the passengers were far more inconvenienced by the washing from the pens through the seams of the deck than they could have been if the animals had been carried below. His hon. Friend had assented to the principle of his Amendment; but as he preferred his own words, he (Mr. Cave) would not move his Amendment, but leave his hon. Friend to move his.

Mr. CHICHESTER FORTESCUE then moved that Condition 1 run thus—

> "That animals be not carried on any deck below that on which passengers are berthed, nor in any adjoining compartment, except in a ship built of iron, and of which the compartments are divided off by watertight bulkheads extending to the upper deck."

Amendment *agreed to.*

Mr. CAVE moved in the 2nd condition, that "ten" be substituted for fifteen. He said that by the Passenger Act a space of five superficial feet on deck was considered enough for each passenger, and it would surely be enough to double this when a few animals were allowed to be carried.

Mr. CHICHESTER FORTESCUE said, that the Bill was chiefly a relaxation of the law in respect to passenger ships; still the comfort and safety of the passenger ought to be the first consideration. He thought, however, that the space proposed by his hon. Friend would be sufficient, and he therefore assented to the Amendment.

Mr. CAVE then moved that in Condition 3 "fifteen" should be substituted for ten. By the Passenger Act fifty passengers might be carried to a hundred tons; fifteen, therefore, could not be too many when there were animals.

Motion *agreed to.*

Mr. CAVE then moved that in Condition 4 "ten" be substituted for "six," as the number of cattle which might be carried.

Motion *agreed to.*

Mr. CAVE then moved this addition to Clause 11—

> "Provided that cabin passengers shall not be entitled to recover, under the said section, more than half the money which may have been paid on account of their passage."

He said that cabin passengers' stores consisted chiefly of live stock and perishable articles, which, if not used, would often be lost or wasted, whereas ordinary passengers' provisions resembled the common ships' stores, which would keep good, and might be used for the crew. In some of the small ports a man might, if he changed his mind about sailing, get a certificate of sickness for a shilling; and if all his passage-money was to be returned, great loss must be inflicted on the shipowner.

MR. CHICHESTER FORTESCUE concurred in the justice of this view, but would prefer, instead of his hon. Friend's Amendment, these words — "Provided that in the case of cabin passengers so landed, only one half the passage-money be recoverable."

MR. CAVE could not object to his hon. Friend's preferring his own words, which were substantially the same as the Amendment he had himself proposed.

Remaining clauses *agreed to.*

THAMES EMBANKMENT (SOUTH SIDE) (*re-committed*) BILL—[BILL 171.]

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 to 24 *agreed to.*

Clause 25 (Power to Board to borrow for Purposes of this Act).

MR. COX objected to the provision enabling the Metropolitan Board of Works to borrow £700,000. He contended that they could only calculate on a surplus of £481,000, and that if the proposal in the clause were adopted, they should eventually have to levy a rate for payment of £219,000. He proposed to omit from the clause "£700,000," for the purpose of inserting "£481,000."

MR. TITE said, that it did not much matter whether the Amendment was agreed to or not; the money would never be wanted, from the simple fact that the revenue derived from the coal duties would be amply sufficient to carry out all the metropolitan improvements contemplated by the Board of Works at present, including this embankment. This clause merely gave power to anticipate some of those revenues by borrowing on the security of the general rates.

MR. COWPER said, that he had no objection to make to the proposition of the hon. Member for Finsbury (Mr. Cox). He thought the figures, as they stood, were inserted by mistake. The amount was proposed without being submitted to him, though he had charge of the Bill. He thought the House should grant the power to borrow £481,000, but it would not be right to give power to borrow more.

MR. DOULTON submitted that notice should have been given of the intention to propose this alteration in the Bill. The Metropolitan Board of Works expected to obtain £481,000 from the coal and wine duties and £425,000 from the re-sale of land. They anticipated, therefore, to have funds amounting to £900,000. There was nothing, therefore, unreasonable in asking permission to borrow £700,000 of that sum. He asked the Committee to consider what would be the position of the question, even supposing the assumption of the hon. Member for Finsbury should prove correct, and that ultimately there should be a charge on account of the expense on the ratepayers of the metropolis. No charge whatever could, by any means, for twenty years come upon the ratepayers. At the end of that time the deficiency could not exceed $\frac{3}{4}d.$ in the pound; and for the sake of that amount the right hon. Gentleman asked them to disagree with the Report of the Committee upstairs. If they were not allowed to charge the rates for the purpose of improving the metropolis, there was no other fund to charge, and the improvements would not be carried out.

SIR JOHN SHELLEY reminded the Committee, that when the Thames embankment was proposed, it was distinctly stated that the cost of the work would be defrayed by the wine and coal duties exclusively. He supported the Amendment.

MR. W. WILLIAMS wished to know upon whose estimate did the right hon. Gentleman rely when he said the embankment on the Surrey side would be carried out for £480,000.

Amendment *agreed to.*

Clause *agreed to,* as were also Clauses 26 to 28.

Clause 29 (Board may give their general Fund as collateral Security).

MR. COX objected to giving power to the Metropolitan Board to pledge the rates of the metropolis as security, in addition to the coal tax and wine duties. This was contrary to the original proposition. He moved the omission of the clause.

MR. COWPER thought the clause very reasonable.

SIR JOHN SHELLEY thought that this power was not in accordance with the understanding that the cost of the embankment should be defrayed out of the coal tax and wine dues.

MR. DOULTON said, that the only object of the clause was to facilitate the borrowing of money, and enable it to be obtained at a lower rate of interest.

MR. COWPER said, he was not responsible for this clause, which was proposed by the Metropolitan Board. He admitted that a clear distinction ought to be drawn between the coal and wine dues and the rates, but it was not intended that any portion of the latter should be applied to defray the cost of the embankment. The clause was intended to enable the Board to borrow money on more favourable terms. It was not intended to raise any portion of the funds to be expended on the embankment from the rates, but these were to be made a security for a temporary loan to be repaid from the other funds at the disposal of the Board. This might be to a slight degree a departure from that principle, but he did not believe it would lead to any practical violation of it.

Mr. TITE said, that there was no chance that the rates would be touched under this clause. Its object was simply to put the Metropolitan Board in better credit.

Sir JOHN SHELLEY repeated his objection to the clause.

Lord ROBERT CECIL hoped the Government would adhere to the clause as it stood. The question was one between the rich and the poor. It was clear that the proposed works were for the benefit of the wealthier classes chiefly, and therefore he thought that they ought to look to the rates generally for carrying them out, and not exclusively to the coal duties.

Mr. W. WILLIAMS supported the clause, because its object was, by enabling the Metropolitan Board to borrow at a cheaper rate, to render it more unlikely that the rates would have to contribute anything to this work.

The LORD MAYOR (Mr. Alderman Rose) thought that it was desirable that the two accounts should be kept separate. He opposed the clause.

Clause *agreed to;* as were the remaining Clauses.

House *resumed.*

Bill *reported;* as amended, to be considered *To-morrow,* at Twelve of the clock.

PIER AND HARBOUR ORDERS CONFIRMATION BILL.

[BILL 148.] CONSIDERATION.

Bill, as amended, *considered.*

Mr. BASS, in moving that the provisional order with respect to the construction of a pier at Rhyl be reinstated in the Bill, said, that he had no interest whatever in the matter, but he had received representations from a source on which he had every reliance that the House had been influenced by mis-statements when this question was last under discussion. A Petition against the Bill had been signed by 160 persons at Rhyl, but many who had signed were neither ratepayers nor owners of property, and one person who called himself "Master of the Rolls," was a baker. On the other hand, the Petition in favour of the Bill was signed by nearly 300 persons, who were amongst the largest owners of property in the place. The pier was opposed by three or four landed proprietors and a powerful railway interest, and no doubt these were conflicting interests. But he called upon the House to support the unanimous decision of the Committee by whom this measure had been considered. It was said that the opponents of the Bill had had no opportunity of appearing; but though it was held that they had no *locus standi* against the preamble, they were invited to appear against the clause, and refused to do so.

Mr. SPEAKER said, the proper course would be for the hon. Gentleman to move the re-committal of the Bill in order to re-insert the provisional order relating to Rhyl.

Mr. BASS accordingly moved that the Bill be re-committed.

Mr. HUMBERSTON objected to the Motion. The matter had been discussed a few nights since in a very full House, and no good reason had been assigned for now seeking to reverse the decision then come to. He did not concur in the opinion that the general feeling of the town of Rhyl was in favour of the pier, as the particular site that had been selected was most objectionable.

Mr. PAULL supported the Motion. He had no personal acquaintance with the town of Rhyl; but having been the author of the Bill, he naturally felt an interest in seeing that its benefits were extended to all localities which desired them. He did not think that the House were taken by surprise the other evening when the provisional order was rejected, but he thought some of the arguments that were then used were of a suspicious character. The promoters of the Bill had complied with all the requirements of the Act, and had given full notice of their intentions. The Board of Trade had been accused of neglecting its functions, but he did not think that charge was justified. Captain Sulivan, to whom the question was referred, had reported that the spot selected for the pier was the best that could be found on the whole estuary.

LORD RICHARD GROSVENOR said, that he had, as Member for Flintshire, been at considerable pains to ascertain how the inhabitants of Rhyl felt with reference to this Bill, and he found they were decidedly and strongly opposed to it. This pier would be of no use to them. Of thirty Commissioners sixteen had signed the Petition against the Bill.

MR. SERJEANT PIGOTT could not understand why the House should throw discredit on the Pier and Harbour Act of 1861, and on the finding of the Select Committee which had sat on the merits of this Bill. After hearing the parties the Committee decided that the preamble was proved, and their decision should be final, unless it was intended to impeach their conduct on the ground of irregularity or unfairness.

COLONEL ROWLEY hoped the House would not consent to reverse the decision to which it came on Monday. The inhabitants of Rhyl were generally adverse to this scheme, the carrying-out of which would be injurious to the place.

MR. LIDDELL thought the effect of the vote of the other evening was that the House refused to confirm the provisional order in regard to Rhyl, and that therefore the order then and there ceased to exist. He doubted whether, in point of form, the House was in a position now to re-commit the Bill for the purpose contemplated by the hon. Member for Derby (Mr. Bass).

MR. H. ROBERTSON said, there had been no inquiry into the merits of the case by the Committee. The proposed pier interfered with an important part of the estuary of the Voryd, the only navigable harbour on the coast of Carnarvonshire.

MR. WYLD said, that Captain Sulivan, of the Board of Trade, gave evidence before the Committee, that the pier, so far from obstructing, would promote the navigation of the river. The House ought to bear in mind that the Committee came to their decision after hearing evidence on the subject, and it was not usual for the House to reverse the decision of a Committee without very good cause for such a proceeding.

MR. MILNER GIBSON thought the House was occupied with this subject more than its importance deserved; but he should support the Motion for the recommittal of the Bill. The position of this Provisional Order was that of a private Bill which had passed through all its stages, and which it was proposed to throw out by a decision of the House. It was of importance to understand that under this Provisional Order nothing could be done which affected the accession to any navigation. They had no compulsory power of taking land; everything was to be done by consent. The only powers conferred was that of taking tolls, in case a pier was erected, from those using it. He thought it better not to have Select Committees at all, if their decisions were to be reversed by the House. It was a case of competition with an existing pier.

MR BRIGHT said, that the opponents of the Provisional Order could come before the House of Lords, where, no doubt, their case would receive ample attention. The case was so extremely clear that he was surprised hon. Gentlemen should oppose the reinstatement of the Provisional Order regarding Rhyl.

Motion made, and Question put, "That the Bill be re-committed in respect of the Schedule, so far as the same relates to the Pier at Ryhl."—(*Mr. Bass.*)

The House *divided*:—Ayes 50; Noes 19: Majority 31.

Bill *considered* in Committee.

(In the Committee.)

MR. BASS again called attention to the position in which they would be placed by reinstating the Provisional Order in regard to Rhyl. The people of Rhyl were opposed to the pier, and their case was not brought before the Committee. He should oppose the reinstatement of Rhyl in the schedule.

Motion made, and Question put, "That the Schedule be amended, by inserting the Provisional Order relating to the Pier at Rhyl."—(*Mr. Bass.*)

The Committee *divided*:—Ayes 50; Noes 28: Majority 22.

House *resumed*.

Bill *reported*; as amended, to be considered *To-morrow.*

POOR REMOVAL (No.2) BILL [MR. HERBERT].

[BILL 96.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Provision for Removal of Natives of England or Scotland).

MR. HENLEY desired to point out to

the President of the Poor Law Board the severity with which the clause would operate. For instance, supposing a man born in England went and settled in Ireland: though not chargeable himself, he had children who might be twenty or thirty years of age; and if one of those children became chargeable, according to this clause they could seize the man, who was not chargeable, and bring him and his family back to England. He thought that could hardly be meant.

Mr. HERBERT said, the clause was copied verbatim from the English Act.

Mr. HENLEY: Then the English Act must be very bad if its effect could be such as he had pointed out.

Mr. C. TURNER objected to the clause as it stood, inasmuch as it gave no corresponding powers in favour of England to those which it proposed to confer on the boards of guardians in Ireland with respect to persons born in this country. As the law now stood, the children of an Irishman who had come over to this country—that is, the children born here—became chargeable in this country. Supposing the Irishman had come over to reap, for instance, and brought his wife with him, as he generally did, the offspring became chargeable; and it was by no means uncommon for Irishwomen to come over to England for the purpose of being confined here. They went into the workhouse at Liverpool, and their progeny became chargeable. It was desirable that some limit should be placed to this system; and with this view he moved, as an Amendment in Clause 1, line 14, after the word "Scotland," the insertion of the words "of English or Scotch parents, or of Irish parents having a settlement in England or Scotland, or being irremovable therefrom by reason of length of residence."

Amendment proposed,

In line 14, after the word "Scotland," to insert the words "of English or Scotch parents, or of Irish parents having a settlement in England or Scotland, or being irremovable therefrom by reason of length of residence."—(*Mr. Charles Turner.*)

Mr. HARVEY LEWIS supported the Amendment, which he regarded as a very reasonable one.

Mr. HERBERT said, that when he told the right hon. Member for Oxfordshire that the clause was copied from the English Act, the right hon. Member turned round and said it was a very bad law. It was no part of his duty to justify the law involved in this clause. The object of the present Bill was to assimilate the laws of the two countries; and if the law was bad, let it be altered for both countries. The hon. Member for South Lancashire (Mr. C. Turner) mentioned the case of Irishwomen in the Liverpool workhouse who declared that they came over to be confined. Now, he doubted whether Irishwomen came over on purpose to be confined in England. The Irish who had children born to them in this country were persons who came over to labour, and were frequently worn out by work in making fortunes for great English manufacturers, when they were turned off, and sent to rot in an Irish workhouse. In Ireland there was no power of removal. An Englishwoman, the wife of a soldier, in passing through Kerry gave birth to a child, which was taken to India, and subsequently becoming chargeable in England, was removed to Kerry, a settlement being claimed solely on the ground that the child was born during its mother's passage through Kerry. The Amendment proposed by the hon. Member for South Lancashire would render the whole Bill invalid, because it would be impossible to prove whether the parents had, perhaps some thirty or fifty years before, achieved their irremovability in England.

Sir BALDWIN LEIGHTON said, with regard to the objection that it would be difficult to discover a settlement after the lapse of thirty or forty years, that many hon. Gentlemen knew it was very often the case that questions as to settlement very often arose, after years had passed away, between one parish and another in England; and he did not see why the Irish should have an advantage over the English in this respect. Before there was any talk of reciprocity, the law of settlement in Ireland ought to be assimilated to that of England.

Mr. C. TURNER mentioned that women actually crossed from Ireland to England in order to be confined here.

Mr. HUSSEY VIVIAN observed, that if an Irishman had been three years in England, he could not be removed. It was not true, therefore, that after taking the benefit of Irish labourers, they were sent back to rot in their native land. It should also be remembered that there were no English tramps and vagrants in Ireland, whereas shoals of these sort of people came over here from the sister country. The Amendment proposed by the hon. Member (Mr. C. Turner), would obviate whatever the hon. Member for Derry complained of, in the case of the soldier's child, provided the parents were English.

MR. BUTT said, he approved the clause as it stood, but he was quite willing to agree to a provision by which no Englishman should be removable from Ireland under such circumstances as would render an Irishman irremovable in England. Practically, an Irish settlement was enforced here on a person who was born across the Channel. The Amendment of the hon. Member for South Lancashire would neutralize the Bill. The English got the advantage of Irish absentees, both rich and poor, and ought to bear the corresponding disadvantages.

MR. C. P. VILLIERS thought that the objectors to this clause, instead of charging his right hon Friend with overlooking the English law of settlement, were open to that charge themselves. The question was not so much what loss would be inflicted upon England, as what was the present law of settlement. A child born in a parish had a settlement there, unless it could be proved that the child derived any other settlement. It did not signify whether the child was of Irish or of foreign parents. If found chargeable elsewhere, it was removable to where it had a birth settlement, if no other settlement could be found. It was no more unjust to the place where the child was born whether it was removed from the extreme end of England or from Ireland. The power of removal did not change the law of settlement, and it would not be likely that removals would be made by the warrant of a magistrate more frequently than was now done by simply giving the person 2*s.* 6*d.* to go back to the place where he would be chargeable. He thought the fears which had been expressed were exaggerated, and that nothing could be more proper than to make the law in Ireland the same as in England. He could not agree to the Amendment, because it would, in fact, render the Bill inoperative, and he thought it would be more open to say at once they would not give the power of removal to Ireland.

MR. COLLINS said, that if there was a law of settlement in Ireland, and no law of derivative settlement in England, no injustice would be done by the Bill to English parishes. But, as that was not so, this Bill would put Irishmen in a better position than Englishmen, and produce an inequality which did not now exist. He hoped, therefore, that the Committee would consent to the Amendment.

MR. M'MAHON believed it would be of great service to Ireland if there were a law of settlement in that country, as the knowledge that evicted tenants would come on the rates would put a stop to evictions and bring about peace and tranquillity.

MR. LOCKE hoped the wretched antiquated law of settlement would never be extended to Ireland. No one who had experienced the iniquities of the English Poor Law would wish to introduce it into any other country. He had always been an adovocate of one simple settlement, and he supported the Bill in the hope that it would lead to re-consideration of the English Poor Law, with a view to its assimilation to the Irish law.

SIR HERVEY BRUCE said, he was opposed to the introduction of the English law of settlement into Ireland, and his principal objection to this Bill was that it assimilated the Irish law to the English.

Question put, "That those words be there inserted."

The Committee *divided* :—Ayes 73; Noes 43: Majority 30.

MR. HERBERT moved that the Chairman report progress, in order that he might consider what course he should take with the Bill. It would be trifling with the House to ask them to go on at present with the Bill after an Amendment had been carried which virtually destroyed the force of it.

MR. MAGUIRE suggested that the right hon. Gentleman should abandon the Bill. He did not think the measure a wise or a politic one, and he did not much regret a division that had thoroughly crippled it. He objected altogether to the principle of removal.

MR. M'MAHON hoped the right hon. Member would state whether he meant to abandon or to go on with the Bill. He thought it was a very useful measure, and he recommended the right hon. Gentleman to proceed.

COLONEL FRENCH thought his right hon. Friend would do quite right in abandoning the Bill.

MR. COLLINS supported the Motion for reporting progress, as likely to prevent confusion.

MR. BUTT intimated his intention, should the Bill be pressed further, to move an Amendment to neutralize the power of removal in England, as had just been done in the case of Ireland.

MR. HENNESSY said, that in everything relating to the Irish poor the House of Commons was always inclined to act rather harshly. In England the Irish poor were oppressed.

SIR JOHN TROLLOPE said, that what Irish Members should aim at was the abolition of the English law of settlement. The main principle had been knocked out of the Bill, and the sooner it was abandoned the better.

MR. HERBERT did not wish to pledge himself to any course. He merely wanted time for consideration. He would state on Thursday what course he would take.

House *resumed.*

Committee report Progress; to sit again on *Thursday.*

PRISONS (IRELAND) BILL.

On Motion of Sir HERVEY BRUCE, Bill to amend the Law relating to Prisons in Ireland, *ordered* to be brought in by Sir HERVEY BRUCE and Sir FREDERICK HEYGATE.

Bill *presented,* and read 1°. [Bill 178.]

NUISANCES REMOVAL ACT (1855) AMENDMENT BILL.

On Motion of Viscount RAYNHAM, Bill to amend the Nuisances Removal Act for England, 1855, with respect to the seizure of diseased and unwholesome Meat, *ordered* to be brought in by Viscount RAYNHAM and Mr. SCHOLEFIELD.

Bill *presented,* and read 1°. [Bill 179.]

MIDWIFERY BILL.

On Motion of Viscount RAYNHAM, Bill to prohibit Unqualified Persons from the practice of Midwifery, *ordered* to be brought in by Viscount RAYNHAM and Mr. BROWN-WESTHEAD.

Bill *presented,* and read 1°. [Bill 180.]

POISONING BILL.

On Motion of Viscount RAYNHAM, Bill for the prevention of Accidental Poisoning, *ordered* to be brought in by Viscount RAYNHAM and Mr. WYKEHAM MARTIN.

Bill *presented,* and read 1°. [Bill 181.]

DUCHY OF CORNWALL MANAGEMENT (1863) BILL [*Lords*].

Bill read 1°; to be read 2° on *Monday* next, and to be *printed.* [Bill 182.]

House adjourned at half after Eleven o'clock.

HOUSE OF LORDS,

Tuesday, June 23, 1863.

MINUTES.]—SELECT COMMITTEE—Borrowing Powers of Railway Companies, *appointed* (*List of the Committee*).

PUBLIC BILLS—*First Reading*—Mutiny (East India) Act Repeal* (No. 153); Local Government Supplemental (No. 2)* (No. 154).

Second Reading—Innkeepers' Liability* (No. 142); Officers of Royal Naval Reserve (No. 131); Inland Revenue* (No. 128); Militia Pay*.

Select Committee—*Report*—Telegraphs Bill* [Report No. 155, Bill 156].

Committee—Security from Violence* (No. 103 and 157).

Report—Thames Embankment (North Side)* (No. 151).

Third Reading—London Coal and Wine Duties Continuance* (No. 104), and *passed.*

ITALY—CASE OF MR. BISHOP.

EXPLANATOIN.

THE MARQUESS OF NORMANBY said, he wished to draw the attention of his noble Friend the Foreign Secretary to a statement which he made the other evening in reference to the imprisonment of Mr. Bishop. His noble Friend had informed their Lordships upon a former occasion that the Government at Turin would, on the first fitting occasion, recommend the King to grant an absolute pardon to Mr. Bishop; but the other evening his noble Friend, commenting on some observations he (the Marquess of Normanby) had addressed to their Lordships, had explained "the first fitting occasion" as meaning when brigandage should have been put down in the Southern Italian States and Italy pacified. Such an interpretation, he contended, was not the fair and natural meaning of the expression; and the noble Earl's interpretation had materially damped the hopes which the friends of Mr. Bishop had previously entertained with respect to his release from prison; and he must add that the despatch of Count Pasolini did not seem to contemplate that any such event as the complete pacification of Italy must take place before the liberation of Mr. Bishop was effected. He wished to ascertain from his noble Friend whether he had received any communication which had led to the alteration of the opinions to which he had, in the first instance, given expression on the subject.

EARL RUSSELL said, he had received no communication from Turin as to the sense in which these words were to be understood. The reason he gave that explanation the other evening was that his noble Friend seemed to suppose the "fitting occasion" for pardoning Mr. Bishop would arise in some approaching birthday or national festival; he (Earl Russell), however, suggested that it was possible the Government at Turin might think it was not expedient to set Mr. Bishop at liberty while the Southern Italian States were in their present disturbed condition, and bands of brigands continued to cross into them from the Roman States. He might add, that as it had been stated that Mr. Bishop was in a very bad state of health, he had requested our Minister at Turin to send a person to Alexandria to ascertain the state of Mr. Bishop's health, and that he was happy to say it was found to be good.

THE EARL OF HARDWICKE said, the noble Earl must be aware that he had himself passed upon Mr. Bishop a sort of sentence of continual imprisonment, by stating in that House that he considered that the "fitting time" for Mr. Bishop to be released would be when brigandage was suppressed in Italy and the country pacified. Now, he (the Earl of Hardwicke) did not believe that in his lifetime brigandage would be suppressed in that country; and he felt sure, therefore, that the inadvertent expression which had fallen from the noble Earl would be used against himself as a sort of sentence on Mr. Bishop. He was quite sure that it was an inadvertent expression, and he hoped the noble Earl would take this opportunity of denying strongly that he had any intention to suggest the imprisonment of Mr. Bishop for the whole time of his sentence.

EARL RUSSELL said, he did not mean that his expressions on the occasion referred to should receive so extensive an interpretation as had been put upon them. He did not mean that Mr. Bishop ought not to be pardoned until brigandage was totally suppressed; but that the country could hardly be considered in a state of pacification until brigandage was so far suppressed that it no longer constituted a sort of civil war.

CESSION OF THE IONIAN ISLANDS.

THE EARL OF DERBY asked whether there was any truth in the statement which appeared in the newspapers that day, to the effect that Sir Henry Storks had published a Proclamation announcing the cession of the Ionian Islands to the Kingdom of Greece.

EARL RUSSELL said, he could not believe that such a Proclamation had been issued. The arrangement which had been made upon that subject was, that a new Parliament should be summoned in the Ionian Islands, and that the question of the cession of the Islands to Greece should be submitted to them for their approval.

THE EARL OF DERBY gave notice that he would bring that subject under the consideration of their Lordships on Thursday next, when the noble Earl would have an opportunity of explaining the course pursued by Her Majesty's Government.

THE DUKE OF NEWCASTLE warned the noble Earl opposite to be very cautious how he made statements founded upon what appeared in the papers. Other events were said to have occurred within the last two or three months for which there was not the smallest possible foundation, and there was strong reason for believing that no such Proclamation had been issued.

BRAZIL—PERSONAL EXPLANATION.

THE EARL OF MALMESBURY: I rise, my Lords, to make a personal explanation, to which I am sure your Lordships will be disposed to listen. I have received a letter from Mr. Christie desiring me to explain some misapprehension, as he believes, contained in the speech I delivered on Friday last, and contradicting some of the statements which I made upon that occasion. Now, my Lords, I am always ready, if I fall into a mistake, to rectify it as soon as possible; and the best course perhaps I can now pursue is at once to read Mr Christie's letter. It is as follows:—

"Hillingdon, Uxbridge, June 21, 1863.

"My Lord,—I am sure that your Lordship has not wished to make mis-statements in the House of Lords about a public servant, of whose conduct, when he served under you as Minister in the River Plate, you expressed high approval, and in whose conciliatory character you had so much confidence in 1858 as to wish him to prolong his stay there for purposes of conciliation; and in the belief that you will desire to correct any such mis-statements as publicly as they have been made, I beg to call your Lordship's attention to some passages in the report in *The Times* of your speech in the House of Lords on the 19th.

"I am, of course, aware that it is possible that the report may not always be correct:—

"1. You are reported to say that papers were sent to you about my difference with General Webb, which you suppose were sent by me as they were in my defence. I have sent you no papers, and am not aware of any such papers, beyond a statement which I published with Lord Russell's permission, and which appeared in *The Times*.

"2. You are reported to say that I was not on good terms with the Brazilian Minister or with colleagues of mine; and you were good enough to add, as reported, 'It may not be his fault, but certainly it is a very great misfortune not only to him, but to his Sovereign.' I am happy to be able to assure you that I was on good terms with the Brazilian Minister and with the Brazilian Government generally, and was also on good terms with all my colleagues, except General Webb, and in free confidential communication with some of them on this grave public question. If you are not satisfied with my assurance on this point, which is a very important one, you can refer to Lord Russell. I am sure that it could only have been from inadvertence that Lord Russell failed to correct this particular mis-statement in answering you.

"3. You are reported to say that I appear to have had no personal communications with the Brazilian Minister until just before I was going to make reprisals. This is a mistake; though it is true, that owing to the habits and wishes of the Brazilian Government, more business is done at Rio by note writing, and less in conversation, than in European Courts. The published papers mention seven interviews between May and September before the formal demands of satisfaction were made, and five in December before the reprisals were resorted to. There would be other interviews not mentioned in the papers, and at page 94 I make a general reference to verbal representations.

"In the public relation in which I am to Earl Russell, I think it right to furnish him with a copy of this letter to your Lordship.—I have the honour to be, my Lord, your Lordship's most obedient servant,

"W. D. CHRISTIE.

"The Earl of Malmesbury, G.C.B."

Well, my Lords, with respect to the first part of that letter, in which Mr. Christie refers to transactions which took place in the year 1858 when I had the honour of being at the head of the Foreign Office, I have no hesitation in saying that I had no reason to be dissatisfied with anything that Mr. Christie did at that time. On the contrary, he appeared to me to do his duty as well as any other of Her Majesty's Ministers in foreign countries. But, at the same time, I am not sure that I urged him against his will to remain at his post; and I do not recollect, and I can find no indication in my notes, that there was at the time any difficulty in the River Plate which it required any measure of particular conciliation to arrange. I remember that Mr. Christie came home in the spring of 1859, and was anxious for promotion to another Court; but I was unable to comply with his request; and a few weeks afterwards my noble Friend behind me (the Earl of Derby) went out of office, and I ceased to be Foreign Minister. I have nothing to say against Mr. Christie generally, and I am perfectly ready to state that he did his duty as well as anybody else when I was Foreign Secretary; but I have no recollection of pressing him, on account of his conciliatory disposition, to remain at his post. With respect to the papers in reference to his difference with General Webb, which he says were not forwarded by him, I have to state that they were sent to me anonymously, and I supposed that they came from him. I may add that I am the last man who would support the conduct of General Webb, as far as it can be ascertained from these papers. With regard to my statement that he was not on good terms with the Brazilian Minister and with some of his colleagues, I, of course, accept his statement. But, in justice to myself, I must observe that the authority upon which I made that statement was so strong, and apparently so much above suspicion, that I believe any one in my position would be prepared to accept it; and I am supported in that opinion by a statement made in another place by Mr. Layard, the Under Secretary for Foreign Affairs, who said that "Mr. Christie had a difference with only two of his colleagues." It appears, therefore, that it was believed at the Foreign Office that Mr. Christie had had differences with two of his colleagues; and I believe the noble Earl will not deny that he had some serious disputes and quarrels with some gentlemen attached to his mission. Those were the grounds on which I made my statement. I am perfectly ready to admit that in reading over the blue-book I ought to have paid attention to the fact that Mr. Christie appears to have had several personal conversations with the Brazilian Minister before the conversation to which I alluded. But your Lordships will see on looking over the blue-book that those conversations are marked out only by allusions and references to, and are not given *in extenso;* and that must be my excuse for my oversight. But all this does not appear to me to diminish or to alter in any way the *gravamen* of the charge which I made against Mr. Christie the other evening. The *gravamen* of that charge was, that after Mr. Christie had received from the noble Earl opposite permission to accept arbitration if it was offered, he did not directly at any interview, or indirectly through any third person, allow the Brazilian Minister to know that that loop-hole had been given for the settlement of the misunderstanding. The noble Earl excuses Mr. Christie by saying that he followed his instructions in that matter. So far he did, because the noble Earl did not expressly instruct him to make a communication to the Brazilian Government upon the subject. But I cannot help thinking that the excuse thus offered by the noble Earl is the result of his generosity rather than of his impartial judgment.

EARL GRANVILLE said, he must rise to order. The noble Earl had read a letter from Mr. Christie and had made observations upon it. He must put it to their Lordships whether, when the hour of commencing the ordinary debates was passed, the noble Earl ought to go into other points.

THE EARL OF MALMESBURY: I think it is rather discourteous of the noble Earl to interrupt me in a personal explanation; and this is, I believe, the first time I have offered such an explanation to your Lordships.

EARL GRANVILLE said, he only wished that the statement of the noble Earl should be confined to a personal explanation. But the noble Earl seemed to him to be making a new speech attacking Mr. Christie upon other points.

THE EARL OF MALMESBURY said, that he was only explaining the meaning of what he had said the other evening, and stating the *gravamen* of the charge he then made against Mr. Christie.

THE MARQUESS OF SLIGO said, he had unfortunately not heard the whole of the noble Earl's speech on Friday night, or he should have at once stated, from his own personal observation, that Mr. Christie was on good terms with the greater part of his colleagues. In fact, General Webb, he believed, was the only exception; and neither side of the House was inclined, he thought, to approve that gentleman's proceedings. When he was in Rio Janeiro he frequently met members of the *corps diplomatique* in Mr. Christie's company. The English residents in Brazil, too, felt themselves perfectly safe in Mr. Christie's hands, and were grateful to him for the manner in which he discharged the duties of his mission.

EARL RUSSELL: I wish to state, my Lords, that though there was some small difference between Mr. Christie and some of his colleagues soon after his arrival in Rio, it was on a very trifling matter, was soon dispelled, and did not at all affect his personal relations with them.

OFFICERS OF ROYAL NAVY RESERVE BILL—(No. 131.)—SECOND READING.

Order of the Day for the Second Reading read.

Moved, That the Bill be now read 2ª.—(*The Duke of Somerset.*)

THE EARL OF HARDWICKE thought the Bill a harmless one. He must, however, observe that the first clause was very large, and took in almost every one engaged in a seafaring life, except seamen-gunners. As captain of a yacht which he navigated himself, he begged to ask the noble Duke what situation he would give him? If he could creep back into the navy under this Bill, he would say it was one of the best measures ever introduced. He did not see how it was possible to refuse him a lieutenancy under the first clause, and therefore he should offer no opposition to the Bill.

THE EARL OF ELLENBOROUGH hoped the noble Duke would not forget to insert in the Bill in Committee the officers of the late Indian navy.

Motion *agreed to*: Bill read 2ª, and *committed* to a Committee of the Whole House on *Thursday* next.

WEST HARTLEPOOL HARBOUR AND RAILWAY BILL.

THE EARL OF DONOUGHMORE rose to call the attention of the House to the Special Report and Evidence upon the West Hartlepool Harbour and Railway Bill; and to move—

1. That the Report and Evidence be referred to Her Majesty's Attorney General, with Directions to inquire into the alleged illegal Conduct of the late Directors and Auditors of the Company, and to institute a Prosecution against such Persons as, in his Opinion, can be convicted of illegal or fraudulent Conduct:

2. That a Select Committee be appointed to inquire and report as to what legislative Measures are desirable for the Purpose of restraining Directors of Railway Companies from exceeding the Limits of the borrowing Powers fixed by their Act of Parliament, and from expending the Funds of Companies for Purposes foreign to their Undertakings and unauthorized by the Legislature.

It was not often their Lordships were troubled with a discussion of matters connected with private Bills, and he regretted very much that it had fallen to his lot to be obliged to bring a subject of this kind under their consideration; but, as Chairman of the Committee to which the Bill had been referred, he felt he should not be doing his duty if he did not call the attention of the House to some of the facts disclosed by the evidence taken before the Select Committee. The West Hartlepool Railway Company was formed in 1852, by the amalgamation of two small companies—the Hartlepool Dock Company and the Stockton and Hartlepool Company; and these two companies were afterwards amalgamated with the Clarence Railway Company. The amount of the Company's capital was originally £1,500,000 in round numbers, the Clarence Company holding preference shares in the amalgamated company. The Company appeared to have been badly managed from the beginning; and in the years 1857 and 1861 the Company again came before Parliament and obtained further powers. The capital was increased to £2,100,000, and the extreme limit of the borrowing powers was £700,000, or one-third of the total capital. He had first to bring under the notice of the House the conduct of the Directors in exceeding their borrowing powers. The amount of capital actually raised was not one-half of the total share capital, and, instead of the limit of the borrowing powers being adhered to, the enormous sum of £2,700,000 had been borrowed by the Company, partly upon bonds and partly upon debenture stock. Now, even supposing that they had power to borrow to the extent of one-third of their authorized capital, they had exceeded that power to an enormous amount. But, looking at their Act, it was doubtful whether even the borrowing power conferred upon them could be legally exercised, for they were restricted from exercising these powers at all until one-half of their share capital was subscribed and paid up; and as that was never done, the Company had no legal power to borrow at all. However, £350,000 was the full amount of the power, and yet they borrowed £2,700,000. He would pass over the other instances of mismanagement detailed in the Report, for though those instances were of a startling, yet they were not of a criminal nature. But there was one matter which he thought of a most serious nature. It appeared in evidence that from 1853 to 1861 the Directors of the Company never presented the shareholders with a true statement of their affairs, and that during this period the annual accounts, which were printed and circulated under the authority of the Board, concealed and falsified the true state of their affairs. Setting aside the public injury inflicted, he apprehended that such conduct as this was a breach of the criminal law, and he had a strong opinion, that as this matter had been brought under the notice of the House, they should take care, that if the parties were guilty, punishment should be inflicted upon them. It appeared that as early as 1858 one shareholder had misgivings as to the state of the Company, and commenced proceedings with a view to compel the Directors to cease the borrowing of money in excess of their powers. For a long time he failed in producing any effect; but in 1859 a Committee of investigation was appointed, and Mr. Sturge was appointed to conduct the inquiry. But he (the Earl of Donoughmore) was astonished to find that he failed to discover the facts, although he had an opportunity of examining the books. For some time afterwards no steps were taken; but afterwards some of the larger shareholders became alarmed, being convinced that the affairs of the Company were in a very alarming condition, filed a Bill in Chancery, obtained the appointment of a receiver, displaced the Directors, and appointed another Board; and it was this second Board that had come to Parliament for the reconstruction of the Company with the Bill referred to the Committee over which he had presided. He had been asked why the Committee did not state in the Report their reasons for throwing out the Bill. Now he thought the facts stated were themselves sufficient reasons for the decision come to. In the first place, the Bill proposed, among other things, to raise a million of money for the purpose of paying off the old shareholders and other debts which were primary charges upon the concern. That Bill was opposed by creditors, and on that opposition the Bill failed. He thought that the case of the creditors was unanswerable, and that the Committee were clearly right in throwing out the Bill. When, however, the Committee re-assembled after Whitsuntide, they were informed by the opponents of the Bill that they had come to an agreement with the promoters, and were anxious now that with certain modifications the Bill should pass. Practically then the Bill was unopposed; but even then he thought that it should not be allowed to pass. The old Clarence shareholders had stood as five to three in the governing body, and had used their majority by keeping in office for eight years the men who had brought the Company to their present position. Now, according to the arrangement come to, these were the only parties whose rights were to be completely guarded, and who were to escape scot-free. They were to receive their full demand, they were to be paid off in full, and for this purpose this million of money was to be found. On another ground he felt that the Bill ought not to pass, for in his opinion a Committee of five Peers had no right to judge so important a question as this without laying the matter before the House. This had ceased to be a question of re-arrangement of capital. This was a case in which fraud and illegality were imputed, it was a case for which there existed no precedent; and he had felt, that if the Bill passed at all, it should pass on public grounds, and not as the act of a Committee of five Peers appointed to treat a mere private question. He quite admitted, that if the Bill did not pass, great loss, and even ruin, would follow to innocent parties. But, on the other hand, it would be unwise to allow the directors of public companies who had been guilty of gross mismanagement to feel that they had nothing to do but come before Parliament and make an appeal *ad misericordiam* in order to undo all the fraudulent Acts they had done in the past, and thus encourage others to pursue the same course. The creditors of the Company were alone worthy of relief. He had no sympathy with the shareholders, for it was their business to have looked after their own concerns; and if they had experienced a heavy loss, it was their own fault. The creditors stood in a different position. They had no power to interfere in the affairs of the Company, and might have a case with which to come before Parliament. But he entreated their Lordships not even to give relief to the creditors until the persons who were responsible for this mismanagement were brought to punishment. When that was done, he should not object to consider what further steps should be taken, and therefore he should not offer any opposition to the Motion of which his noble and learned Friend (Lord Chelmsford) had given notice. He had no personal interest in, or acquaintance with, this subject, beyond what had come to his knowledge during the progress of the inquiry, but he brought it forward in accordance with what he felt to be a public duty. Another noble Lord (the Earl of Airlie) proposed, that if a Committee were appointed, it should inquire into the means of preventing the use of borrowing powers before the prescribed portions of capital had been raised. He thought that addition to the terms of his own proposition would be useful, and he should assent to it. With respect to the evidence before the Committee, he admitted that it was upon one side only; but that could not be avoided. The question which the Committee had to consider was, whether the Bill should pass or not, and the evidence inculpating the Directors came out in the course of the inquiry. They felt that it was right that the late chairman of the Company, Mr. Ward Jackson, should have an opportunity of defending himself by offering an explanation, and therefore he (the Earl of Donoughmore) stated publicly that it was their intention to report the facts to the House; and when Mr. Ward Jackson applied by letter, he was informed, that if he would attend the Committee at its next meeting, they would hear any statement he might desire to make. Mr. Ward Jackson did attend, and proposed that the Committee should hear evidence on his behalf; but they felt they could not do that, as they had no powers to act in the nature of a grand jury to try Mr. Ward Jackson's conduct. A noble Lord had given notice of a Motion to the effect that Mr. Ward Jackson be heard upon oath before the Committee; but even if that Motion could be made, it was doubtful what object would be gained by it. Mr. Ward Jackson presented a Petition, stating that he was not guilty: but if there was no ground for the charges, the Attorney General would not prosecute him; and even if he were prosecuted, he would have the benefit of a trial by a jury. He begged it to be understood that he did not desire that any prosecution should be instituted; but very grave charges having been made, he thought it only right that they should be inquired into. If those charges were proved, he wished the guilty parties to be punished, and he thought their Lordships would agree with him that they ought to be punished. He should, in the first instance, move the first Resolution of which he had given notice; and if that should be agreed to by the House, he would then propose the second Resolution. The noble Earl concluded by moving—

"That the Special Report and Evidence upon the West Hartlepool Harbour and Railway Bill be referred to Her Majesty's Attorney General, with Directions to inquire into the alleged illegal Conduct of the late Directors and Auditors of the Company, and to institute a Prosecution against such Persons as, in his Opinion, can be convicted of illegal or fraudulent Conduct."

THE EARL OF AIRLIE said, that as a Member of the Committee, he felt bound to explain that he had not been able to agree with the majority in their decision to reject the Bill, but he had no hesitation in endorsing the remainder of the Report. The statements in the Report as to the previous history of the West Hartlepool Railway Company gave, he believed, a fair account of the previous career of the Company, and the statements as to the illegal conduct of the Directors were fully borne out by the evidence. He therefore fully concurred in the suggestion embodied in the Motion. He should wish, however, to give his reasons for thinking that a Bill should have been allowed to pass. He felt, that under the peculiar circumstances, and all parties interested being agreed, the arrangement that was proposed was as fair a compromise as could be devised to meet the interests alike of the shareholders, preference shareholders, and bondholders, who were all interested in avoiding the enormous expenses that would be consequent upon litigation. He admitted that it might establish a bad precedent; but he could not forget that a large number of unfortunate persons had invested their money in the undertaking, both shareholders and bondholders, who were quite innocent of participation in any illegality or mismanagement. His noble Friend said that the shareholders must bear the consequences of allowing such Directors to continue in office; but it must be remembered that the shareholders were kept in ignorance of the real state of affairs. The present Board of Directors represented the ill-treated shareholders and bondholders, and they ought not to suffer for the faults of their predecessors; and their Lordships should remember that to the poorer shareholders half a loaf was better than no bread. He therefore thought the Bill should be allowed to pass.

THE LORD CHANCELLOR: My Lords, I wish to explain to your Lordships the course which I think Her Majesty's Government ought to adopt, and which, on my advice, they are prepared to adopt, in this case. I must, however, speak with some reserve on this matter, because I know not whether in its civil aspect it may not possibly come before me in another place. I shall, therefore, speak only of the criminal aspect of the case, and entirely on the hypothesis that the statements in this Report are founded in fact. If these statements are so founded, I think I am warranted in saying that there is grave ground for believing that a very great public fraud and an indictable offence of a most serious character has been committed. Under the circumstances, where there is an offence, which in its consequences are so important to the community, I hold it to be the duty of the Government to make an immediate inquiry into the circumstances; and if it finds reason to believe that an indictment will lie, and can be sustained, to take the duty of prosecuting on itself without any delay or direction. The Government, therefore, will immediately direct the solicitors of the Treasury to make the most full investigation into this subject, and to lay all the papers before the Attorney General, with directions to examine whether an indictable offence has been committed, and, if so, to proceed at once against the offenders. It is scarcely possible, having regard to the great number of public companies and the unfortunately imperfect state of the law, which provides no effectual audit, and no means for complete publicity with any security of having a truthful report — it is scarcely possible under these circumstances to imagine any case that is of more importance to the community than the present. I have taken the liberty of addressing you before the noble Baron (Lord Ravensworth) who has an Amendment on the paper, and who rose with me, because I must be permitted to say, that notwithstanding the Amendment of the noble Baron, the Government will persevere in the course I have indicated; and therefore I would submit to the noble Baron whether it would be of any utility to persevere with the Amendment of which he has given notice. It would hardly be right or fitting that any gentleman who might by possibility be implicated in criminal proceedings should be called on or even allowed to give testimony touching his share in these transactions. I cannot, however, do more than suggest that for the wise consideration of the noble Baron. With regard to the civil aspect of the case, I think I may venture to say that you may proceed to deal with it without in any manner affecting its criminal aspect. Its criminal aspect, I think, may not be at all compromised, or the power of prosecution affected by discreet measures being adopted with a view to ascertain the best mode of dealing with the civil rights and property of the parties. My Lords, I abstain from saying more than to give your Lordships a pledge that this matter shall be investigated by the Government without any delay whatever.

LORD RAVENSWORTH said, that after the statement of the noble and learned Lord on the Woolsack he would not venture to press his Amendment; but hoped he might be allowed, on the part of a gentleman whose character and conduct were very much implicated in these transactions, to lay on their Lordships' table a Petition from Mr. Ralph Ward Jackson, and briefly to call attention to some of the statements it contained. He was not going to dwell in any manner whatever on the transactions of these amalgamated companies. That House was certainly not the arena in which to enter into matters of a very extensive and complicated character spread over a great many years, and made the subject of regulation or rather of no regulation by divers Acts of Parliament. But when it was said by the noble Earl (the Earl of Donoughmore) who commenced this discussion, that he was forming, as it were, a grand jury for the consideration of this subject, he must be allowed to say that this was just what had been already done by the noble Viscount and the Committee. Mr. Jackson complained in his Petition that the Committee's Report contained *ex parte* statements seriously affecting his conduct and character; that he had not been present when the witnesses were examined, and hence arose his correspondence with the Chairman, printed in the appendix to the Report; that when he had come to town, he appeared before the Committee and tendered himself for examination, but was refused; that many of the matters in the Report had been misrepresented, and others not fully examined; that he was no party to any false accounts of the Companies' affairs; that these were regularly examined and certified by auditors of unimpeachable integrity; that he had always been ready, and was now anxious, to give the fullest information relative to his conduct in connection with these transactions; and he prayed to be allowed to give all necessary explanations. Such was the prayer of this Petition. It was perfectly true that the transactions of these Companies appeared, on evidence of *ex parte* witnesses, to bear a very suspicious character. He did not present himself as the apologist or defender of Mr. Jackson, but, on every principle of justice, their Lordships were bound to hear both sides, and he laid the Petition on their table in the confidence that its appeal to their Lordships' sense of justice would not be made in vain.

THE EARL OF DONOUGHMORE said, that after the discussion which had taken place, and especially after what had fallen from the noble and learned Lord on the Woolsack, he should not press his first Resolution. He should, however, move, adopting the Amendment of the noble Earl opposite, the second—

> "That a Select Committee be appointed to inquire and report as to what legislative Measures are desirable for the Purpose of restraining Directors of Railway Companies from exceeding the Limits of the borrowing Powers fixed by their Act of Parliament; from evading those Provisions of their Act of Parliament which require that a certain Portion of their authorized Capital shall be subscribed and paid up before their borrowing Powers can come into operation, and from expending the Funds of Companies for Purposes foreign to their Undertakings and unauthorized by the Legislature."

LORD OVERSTONE hoped there would be no misunderstanding as to the nature of the duties which the Committee, if appointed, would be called upon to discharge. It was, he contended, most important for the interests of the railway companies themselves as borrowers, as well as for the interests of industrious and careful persons scattered widely all over the country, that some effectual means should be taken for giving positive security as to the validity of the bonds which were issued.

LORD STANLEY OF ADDERLEY thought the Resolution would fully meet the view of his noble Friend if the following words were added to it:—"And also to inquire into what securities can be given to holders of debentures as to the validity and legality of the issue of such bonds."

Motion (by leave of the House) *withdrawn.*

Then it was *moved,*

> That a Select Committee be appointed to inquire and report as to what Legislative Measures are desirable for the Purpose of restraining Directors of Railway Companies from exceeding the Limits of the borrowing Powers fixed by their Act of Parliament, from evading those Provisions of their Act of Parliament which require that a certain Portion of their authorized Capital shall be subscribed and paid up before their borrowing Powers can come into operation, and from expending the Funds of Companies for Purposes foreign to their Undertakings and unauthorized by the Legislature; and also to inquire what Securities

can be given to the Holders of Debentures as to the Validity and Legality of the Issue of such Bonds; *agreed to*: (*The Viscount Hutchinson.*)

The Lords following were named of the Committee; the Committee to meet on *Friday* next, at Two o'clock, and to appoint their own Chairman:—

Ld. President.
D. Devonshire.
Ld. Steward.
E. Airlie.
E. Macclesfield.
E. Powis.
V. Hutchinson.
L. Wodehouse.
L. Redesdale.
L. Portman.
L. Stanley of Adderley.
L. Dartrey.
L. Overstone.
L. Chelmsford.
L. Taunton.

Lord CHELMSFORD said, that their Lordships having agreed to the appointment of a Select Committee, he now rose to move the Resolution of which he had given notice. The capital of the company, under three different Acts of Parliament, amounted to £2,100,000, and there was power to borrow, commencing when one half the share capital had been paid up, to the extent of one third of the sum so paid up. Even if the whole share capital had been paid up, the utmost they were empowered to borrow was £350,000. Their Lordships, however, had heard that they had, in fact, borrowed to the extent of £2,700,000. The bonds issued to the amount of the borrowing powers would be valid, and they only became invalid when that amount was exceeded; and this being so, it was impossible for any person having bonds to ascertain whether they were valid or not. Proceedings had been instituted in Chancery to establish the validity of some of the bonds, and the suit was suspended, in hopes that the Legislature would interfere and give some relief to innocent persons who had taken the bonds without the means of ascertaining whether the borrowing powers of the Company had been exceeded or not. It was perfectly clear that an immense amount of litigation would be necessary in order to determine the rights of the different parties; and under these circumstances the Bill was introduced, the object of which was to convert the debentures and bonds into paid-up consolidated stock of the Company, and to enable the bondholders to obtain arrears of interest up to the 30th of the present month at 3 per cent. But, unfortunately, the preference and ordinary shareholders opposed the Bill, and that opposition stimulated the vigilance of the Committee and induced an inquiry into the transaction, which led to an unfavourable Report of the Bill. The ordinary and preference shareholders were dismayed at the result of their opposition, and the moment that they saw the probability of the Bill being lost they withdrew that opposition. It was most important that this or a similar Bill should pass without delay, if their Lordships desired to give any relief to the bondholders, many of whom were in a very humble position in life, and had embarked their all in the investment. There was every probability that the concern would be a most flourishing one; for in spite of these discouraging circumstances the gross weekly revenue was £4,000. Unless a Bill were passed at once to give the requisite relief, the bondholders, deprived of their dividends, would be obliged to part with their securities at a great sacrifice, and then the Bill, which their Lordships must ultimately pass, would merely benefit the parties who profited by the unfortunate transfer. He had so drawn the instruction to the Committee as to exclude from any benefit persons implicated in the fraud, and he trusted their Lordships would give their assent to the Motion. The noble and learned Lord concluded by moving—

> "That the West Hartlepool Harbour and Railway Bill, together with the Evidence taken respecting it, be referred to the same Committee, with Instructions to consider and report whether the said Bill might be allowed to proceed, with the view of affording Relief to the Bondholders and Shareholders not implicated in the illegal Proceedings brought under the Notice of the House, without exempting those Persons who may have been Parties to those Proceedings from any Responsibility they may thereby have incurred."

Petition for Opportunity of giving further Explanation respecting, and to be heard by counsel; of Ralph Ward Jackson, of Greatham Hall, Esquire; read, and Ordered to lie on the Table.

Earl GRANVILLE was understood to say, that proceedings in Chancery could only inflict great hardship upon many innocent persons, and waste a large and valuable property. He recommended that the Bill should be referred to the Committee about to be appointed, and they could say whether in their opinion it should be afterwards referred as an unopposed Bill to the Chairman of Committees or to a Select Committee.

Lord REDESDALE hoped the Committee would suggest some amendment of the law and practice, so as to prevent a recurrence of such a transaction in future. He objected to the Bill being referred to him, and thought it better that the same

Committee should report whether it should be allowed to pass "with or without Amendments." It was an exceptional case, and would not afford any precedent, because this Bill would be passed expressly to relieve innocent persons from a difficulty in which they had been placed by transactions of a very peculiar character.

The Motion was then amended; and *agreed to*, as follows:—

"That the West Hartlepool Harbour and Railway Bill, together with the Evidence taken respecting it, be referred to the same Committee, with Instructions to consider and report whether the said Bill might be allowed to proceed with or without Alteration, with the view of affording Relief to the Bondholders and Shareholders not implicated in the illegal Proceedings brought under the Notice of the House, without exempting those Persons who may have been Parties to those Proceedings from any Responsibility they may thereby have incurred."

MILLINERS' WORK-ROOMS AND DORMITORIES.—OBSERVATIONS.

THE EARL OF **SHAFTESBURY**: My Lords, it will be necessary to go so much more into detail in moving for the Returns relative to Bethlehem Hospital [of which the noble Earl had a notice on the Paper] than I expected, that I will postpone my Motion on that subject until Friday; but as my hon. Friend the President of the Council is in his place, I will ask him a Question of which I have given him notice. Your Lordships have, no doubt, read in the papers a report of a Coroner's Inquest on a young woman who died in a workroom of a milliner in Regent Street. The verdict was that she died of overwork, which brought on apoplexy, mainly induced by the foul and fœtid state of the room in which she worked, and the overcrowded state of the room in which she slept. I am not going to dwell on the effects of this terrible system of overcrowding, of which we had ample evidence in 1842. Since that time serious efforts have been made to remedy the evil. I myself brought in a Bill which was referred to a Select Committee, but which did not pass into law. I am not going to enter into the question of the limitation of the hours of labour, though it is frightful to think that these young women of tender years, delicately brought up, should be worked consecutively from six o'clock in the morning until eleven at night. I wish to ask the noble Earl simply whether the Government are prepared to bring in measures which will provide for the ventilation and the sanitary regulation of these workrooms? I ask no more than that. Your Lordships have already passed a measure this Session for the ventilation and inspection of bakehouses. The position of the two callings is strictly analogous, and having gone carefully through the Bill for the regulation of bakehouses, I can say that there is scarcely a provision in it which would not be applicable to these workrooms. The medical officer and the district inspector of nuisances are empowered from time to time to inspect the condition of the rooms in which the men work, and to see that they are properly ventilated and whitewashed. If the sanitary regulations which have been enacted for the protection of bakers were extended to the protection of these young women, they would go far to prevent the recurrence of these awful abominations, such as we have had a sample of at Madame Elise's, No. 120, Regent Street, which result in the death of many young women every year of our lives. I hope the Government will be prepared to take the matter up, and to bring in some Bill for the protection of these young women.

EARL **GRANVILLE**: I am sure your Lordships must have been deeply shocked by the event to which the noble Earl has referred, and which may be directly traced to the effects of overwork, and the whole system adopted in too many miliners' and dressmakers' workrooms. I remember the Bill which the noble Earl introduced on the subject. It received great attention in the Select Committee, and a great deal of evidence was taken upon it; but I believe the principal reason why it did not succeed was the extreme difficulty of carrying into practical execution any Bill of this sort. At present, the Government are without any powers on the subject; for I believe the legal construction of the 20th section of the Offences against the Person Act, which it has been said might apply to such cases, is very doubtful; and it is a question, therefore, whether they ought to ask for any further powers. I am not prepared to state how far the analogy which the noble Earl has drawn between this trade and the bakers' trade is complete; but there is no doubt that there would be great legal difficulty in providing for the regulation of workrooms of this sort, which vary very much in size, some of them only containing one assistant. With regard to the lodgings of the young women, it must be remembered that in a great town like this it would not be advantageous to turn young women out of their workshops at a late hour of the night to seek their lodgings at a distance. The noble Earl's suggestion shall be carefully considered; but at present I am not able to state that the Government will be prepared to introduce a Bill on the subject.

The Earl of SHAFTESBURY: I hope the noble Earl will lose no time, as the matter is one which ought to be taken up at once.

Earl GRANVILLE: There could be no better way of having the subject properly considered than for the noble Earl himself to introduce a Bill.

House adjourned at half past Seven o'clock, to Thursday next, a quarter before Five o'clock.

HOUSE OF COMMONS,

Tuesday, *June* 23, 1863.

MINUTES.]—Select Committees—Malt Duties, *appointed*; Westminster New Palace Approaches, *appointed*.

Report—Poor Relief* [No. 383]; Kitchen and Refreshment Rooms (House of Commons)*, *Third Report* [No. 384].

Public Bills—*First Reading*—Police and Improvement (Scotland) (Provisional Order)* [Bill 184].

Second Reading—Postmaster General (Sale of Land)* [Bill 174].

Committee—Vaccination (Scotland) [Bill 139]; Statute Labour Roads and Bridges (Scotland) [Bill 127] (*No Report*); Statute Labour Roads and Bridges (Scotland) Transfer [Bill 128] (*No Report*); Walmer Vesting* [Bill 170]; Port Erin Harbour (Isle of Man)* [Bill 123].

Report—Vaccination (Scotland); Walmer Vesting*; Port Erin Harbour (Isle of Man).*

Considered as amended—Savings Banks Acts Amendment [Sir Henry Willoughby]* [Bill 158 and 183]; Passengers Act Amendment* [Bill 143]; Pier and Harbour Orders Confirmation* [Bill 148]; Sir Robert Hitcham's Charity* [Bill 160]; Ruthin Charities* [Bill 161].

Third Reading—London, &c. Dioceses (*Lords*)* [Bill 133]; Land Drainage (Provisional Orders)* [Bill 85]; and severally *passed*.

VACCINATION (SCOTLAND) BILL.

[BILL 139.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Parochial Board to appoint a Public Vaccinator).

Mr. DUNLOP said, the College of Physicians of Edinburgh had sent in a list of objections, which had much struck him. They objected in particular to the appointment of public vaccinators. They stated that there were already medical officers in every parish, and so far as the poor of these parishes were concerned, therefore, they were already provided for. But as far as all other parties were concerned, it was proposed by this Bill to provide public vaccinators. This the College justly considered an interference with the ordinary practice of medical practitioners. They suggested also that the practical operation of the measure would be to retard rather than to promote the general practice of vaccination.

The LORD ADVOCATE said, that if that were the only objection to the Bill, it could easily be got over. It was never intended to take vaccination out of the hands of general medical practitioners in order to place it exclusively in the hands of a public vaccinator. The Bill had been rendered necessary by the general neglect of vaccination, and the object in appointing a public vaccinator in every parish, or combination of parishes, in Scotland, was that there should be some one to see that vaccination was carried out. It would be necessary to give him an interest in seeing it done, and this would be accomplished by paying him by fees, and not by salary. The Bill would be inoperative but for this appointment. The Parochial Board might, in certain cases, direct their vaccinator to travel in parts of the district that were distant and difficult of access, but it would be necessary to make some provision for his payment in such cases.

Sir ANDREW AGNEW said, that vaccination might be prevention; but a far greater danger was to be apprehended from the public being liable to be brought into contact in railway carriages and other conveyances with persons suffering from small-pox. He hoped the hon. and learned Gentleman the Lord Advocate would turn his attention to this subject.

Sir EDWARD COLEBROOKE drew attention to the importance of the Government providing for a supply of proper vaccine matter. He thought that vaccination should be carried on by visits of the vaccinators among the people.

The LORD ADVOCATE said, that in large towns the children would be brought to the vaccinators, but in rural places probably the vaccinator would have to go to the children.

Lord ELCHO thought the proposal to appoint these public vaccinators would make vaccination more certain than at present.

Mr. FINLAY suggested that for the thinly-peopled Highland districts an itinerant vaccinator should be appointed.

The LORD ADVOCATE saw no objection to adopt the suggestion of his hon. Friend; but, as some travelling expenses would have to be allowed, it would be necessary to consider the matter.

Clause *agreed to.*

Clause 2 (Parochial Board may contract with Public Vaccinator). The clause provided that the fee for each person vaccinated shall be not less than 2*s.* 6*d.* within two miles of the vaccinator's residence, and 3*s.* 6*d.* when beyond that distance.

Mr. BLACKBURN moved that the fee be 1*s.* 6*d.* within two miles, and 2*s.* 6*d.* beyond that distance.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clauses 3 to 8 *agreed to.*

Clause 9 (Parents or Guardians to cause Children to be vaccinated).

Sir ANDREW AGNEW proposed that the period which was limited by the clause to three months should be extended to six months.

Mr. BLACKBURN expressed an opinion that twelve months would be still better, according to the Royal College of Physicians.

The LORD ADVOCATE feared, that if left so long, it might be omitted altogether.

Clause, as amended, *agreed to.*

The remaining Clauses, with the exception of Clause 15 (struck out), were likewise *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered on *Monday* next.

STATUTE LABOUR ROADS AND BRIDGES (SCOTLAND) (*re-committed*) BILL.

[BILL 127.] COMMITTEE.

Bill *considered* in Committee.—(*Sir John Ogilvy.*)

(In the Committee.)

Clause 1 (Short Title).

Mr. DALGLISH said, that the Bill purported to have been amended in a former Committee; but he saw there was an immense number of Amendments down on the paper for that day. He doubted the propriety, under these circumstances, of going on with a Bill which had no chance of passing this Session, and he moved, therefore, that the Chairman leave the chair.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."

Lord ELCHO said, he did not in the least care for the Bill. The county with which he was connected had brought in a private Bill, the tendency of which was to abolish tolls altogether; and he hoped that if there was to be a general Bill, it would be of a similar character. The tendency of this Bill, on the contrary, was to maintain tolls. He certainly did not wish to sit there discussing twelve pages of Amendments on eleven pages of Bill, and he should therefore support the Motion. Several of the Amendments were very important, and ought not to be discussed in the absence of English and Irish Members, who did not appear to be aware of their true character. They were Amendments proposed by chairmen of railway companies, which would put those bodies upon an entirely different footing from all other descriptions of heritable property. So far from railway proprietors having any right to be exempted, they were, of all others, the most interested in having good roads.

Sir EDWARD COLEBROOKE hoped that the Lord Advocate would not give an opinion until he heard the discussion on the clauses.

The LORD ADVOCATE said, he had an opinion on the Bill, and was prepared to express it. At the same time, if it were the opinion of the House that he should postpone his views until the clauses arose, he had no objection.

Mr. R. HODGSON appealed to the hon. Member for Dundee (Sir John Ogilvy) not to go on with the Bill. There was not the least chance of its passing this Session.

The LORD ADVOCATE entreated the Committee not to lose time in making appeals to his hon. Friend not to go on with the business for which the House had met.

Sir MICHAEL SHAW STEWART protested against wasting the time of Scotch Members in begining at two o'clock the consideration of this Bill. What progress were they likely to make in two hours, and when would the hon. Baronet obtain another day for a morning sitting?

Sir JOHN OGILVY confessed that he had not now so good a hope of passing the Bill as he had had when he came down to the House, for he found that it had excited the opposition of hon. Members whose support he thought that he had a right to expect. He had taken up the subject only at the request of many hon. Gentlemen from Scotland who had met together for the purpose; he had committed it *pro formâ*, in order to insert the Amendments suggested to him; and of the forty-nine which now appeared on the paper in his name, many of them were of a similar character—namely, alterations which had been adopted at the request of others.

Mr. BLACKBURN said, that the measure suggested at the meeting in question only referred to a change of valuation. Various other matters had been, however, imported into the Bill, and it was useless to go on with it at this late period of the Session.

Mr. E. ELLICE (St. Andrew's) agreed that, in the face of the opposition which had arisen, the Bill had not the slightest chance of passing during the present Session, unless his hon. Friend would consent to strike out all the clauses except those which carried out the original object of the Bill—a change in the mode of assessment.

Question put.

The Committee *divided*:—Ayes 20; Noes 45: Majority 25.

After considerable further discussion, Clause *agreed to.*

Clause 2 (Interpretation).

Sir JOHN HAY complained that the Orkneys and Shetland Isles had few or no roads, but they might be saddled with the expense of carrying out the measure. He hoped, therefore, that they would be excluded from the operation of the Bill. At all events, the mainland ought to be made one district, and the smaller islands another.

After some discussion, it was agreed that the clause should be altered accordingly.

Clause *agreed to.*

Clause 3 (Trustees may consider as to Adoption of Act at any Statutory General Meeting).

Mr. E. ELLICE (St. Andrews) said, in order to raise the question whether the Bill should go beyond its original design—namely, to change the road assessment from the old to the new valuation, he would move the omission of the clause.

Mr. BLACKBURN seconded the Motion.

Sir WILLIAM DUNBAR was surprised to find that a measure that had been agreed to with so little difficulty at a meeting of Scotch Peers and Members of Parliament should now meet with so much opposition. The proposal of his hon. Friend appeared to strike at the root of the Bill; and if it was agreed to, he should recommend the abandonment of the measure.

The LORD ADVOCATE would recommend his hon. Friend to omit the 3rd and 16th clauses, relative to management.

Mr. DALGLISH, on the contrary, thought they were the most important clauses in the Bill.

Lord ELCHO said, they had wasted a fine summer's day and done nothing. They had now sat two hours, and had not gone through the first of the twelve pages of Amendments. Was there any use in going on?

The further progress of the Bill gave rise to continued objections on the part of hon. Members, many of whom expressed great dissatisfaction at "wasting a fine summer's morning" in discussing a Bill which could not pass this Session. Finally,

Sir JOHN OGILVY said, that after the opposition which had been manifested, it was hopeless to attempt to pass the Bill this Session. The reception given to his Bill was not sufficiently encouraging to induce him to proceed with the measure next Session; but he would reiterate the request made to the Lord Advocate to endeavour to grapple with this subject.

Mr. DUNLOP said, he was certain he expressed the feeling of all the Scotch Members when he said they were greatly indebted to the hon. Baronet (Sir John Ogilvy) for the trouble he had taken, and the courtesy he had shown, in the conduct of this Bill. He regretted the failure of the Bill, but he could not help thinking that the best way was to let each county bring in a Roads Bill, which could go before a judicial Committee as a private Bill, and would then have a chance of passing through the House.

The LORD ADVOCATE said, he had already attempted in vain to deal with the subject. He had declined to bring in a general measure this Session from an apprehension of want of success, and certainly the discussion of that day had not altered his opinion.

House *resumed.* [No Report.]

STATUTE LABOUR ROADS AND BRIDGES (SCOTLAND) TRANSFER BILL.

Sir JOHN OGILVY said, he would withdraw this Bill also.

House *resumed.* [No Report.]

WELSH MAILS.—QUESTION.

Mr. R. P. LONG said, he wished to ask the Secretary to the Treasury, Whether the arrangement for the employment of the Railway for the conveyance of the Mails through Montgomeryshire, which was reported by the Secretary to the Post Office as "under consideration" in February last, is yet concluded?

Mr. PEEL said, in reply, that no arrangement had been finally concluded, but the Post Office had informed the Company that they were perfectly willing to use the Railway.

FIFE ARTILLERY MILITIA.
QUESTION.

Mr. WYVILL said, he wished to ask the Under Secretary of State for War, If he will state the reason why last year the Fife Artillery Militia had no guns or battery from which the could fire shot or shell during their training; and whether it is true they are to be called out and similarly situated in August next?

The Marquess of HARTINGTON, in reply, said, it was quite true that the Fife Artillery Militia had no guns or battery from which they could fire shot or shell last year, and he feared that the same thing would take place during the ensuing season. The attention of the Supply Commissioners of the county at the time was called to the Report of the Inspecting Officer, and a district Committee was appointed to provide suitable quarters. The Committee made a recommendation, and the Supply Commissioners afterwards came to a Resolution that they were not satisfied with the necessity for a change. No funds were provided for the removal of the head-quarters of the Militia, but it was in the power of Lieutenants and Vice Lieutenants of Counties to fix where head-quarters of Militia should be placed, and that they should be supplied with proper accommodation.

CABS IN PALL MALL.—QUESTION.

Lord EDWARD THYNNE said, he would beg to ask the Secretary of State for the Home Department, Whether, as the Police prevent cabs from plying in Pall Mall, he will give instructions to the Metropolitan Police to enforce that system throughout the Metropolis?

Sir GEORGE GREY said, in reply, that this order was issued in consequence of the obstruction caused by the great number of cabs plying for hire between Waterloo Place and St. James Street. At the same time, three new cabstands had been established in the neighbourhood. There was a law applicable to the whole metropolis, by which the Police were required to summon all drivers plying for hire when not on a stand.

EDUCATION—THE REVISED CODE.
QUESTION.

Lord ROBERT CECIL said, he rose to ask the Vice President of the Committee of Council for Education, Whether the Committee of Council hold that they are discharged of all liability to the Pupil Teachers under Article 54 of the Revised Code by paying, in accordance with paragraph 36 of the Instructions, to the Managers the amount of the Pupil Teachers' stipends and gratuities; or whether, in the case of a Manager declining to pay over the money so received, the Committee would feel themselves bound to see the Pupil Teachers paid in full; and whether, in requiring the Managers to report the number of Children at their Schools who do not come under the terms of Article 4 of the Revised Code as "Children belonging to the classes who support themselves by manual labour," the Committee have furnished either Managers or Inspectors with a definition of the words "manual labour?"

Mr. LOWE said, in reply, that the Question of the noble Lord involved the most extraordinary supposition that the Managers of Schools would misappropriate or embezzle money paid to them by the Privy Council for Pupil Teachers and apply it to some other purpose. He knew of no such case having occurred, and he was sorry to hear the possibility of its occurrence suggested of a class of gentlemen who were employed in a most charitable work. The answer to the question was that the Committee of Council know no one but the Managers. They paid the money to the Managers; and when they had done so, they had discharged themselves of all liability; and in the event of the very strange and improbable case which had been suggested by the noble Lord occurring, the Pupil Teacher would have no claim against the Committee of Privy Council. In the second Question there was a mistake: they did not exclude from the schools children whose parents did not maintain themselves by manual labour. He saw no reason why such children should not be in their schools. What they required was that in a separate column there should be stated the children of those who did not earn their support by manual labour, in order that the parents of such children should not shift on to the public the responsibility of educating them, when they could do it themselves. The Committee of Privy Council had not furnished the Inspectors with a definition of the words "manual labour." The great requirement in a definition was that it should be clearer than the thing defined; and no words that they would care to use could be clearer than the words "manual labour." But when we have had experience of the class of persons who do send their children to these schools, no doubt we shall be able to frame some words more satisfactory than those by which we at present attempt to define a class of which we really know but little.

LORD ROBERT CECIL: The right hon. Gentleman went, I think, beyond the usual limits in answering my Question, for he imputed to me a meaning I did not entertain. I had no desire to accuse the Managers of embezzlement; but it is quite possible that they might retain money in their hands through a misapprehension; and what I want to know is, in case Managers decline to pay over the money which they received for Pupil Teachers to those Pupil Teachers, whether the Committee of Council will give no further effect whatever to the promise made to pay money to those Pupil Teachers?

MR. LOWE: The noble Lord's Question seems to answer itself; for if the Managers decline to pay over the money to the Pupil Teachers, even after their attention has been drawn to the fact that the money belongs to the Pupil Teachers, those Managers cannot possibly retain the money through a misapprehension. In such a case we should not pay the money over again to the Pupil Teachers, but we certainly should strike the school off the list of those entitled to grants.

MILLINERS' WORK ROOMS AND DORMITORIES.—QUESTION.

MR. BAGWELL said, he would beg to ask the Secretary of State for the Home Department, If his attention has been called to the Inquest on Mary Anne Walkley, a workwoman in the employment of Madame Elise, described as Court Dressmaker, of 170, Regent Street, the Verdict at which stated that the deceased died of apoplexy; and if the Government have any intention to take measures for the Registration and Inspection of Workrooms; and, further, whether it is intended to institute a criminal prosecution against the employer of the deceased Mary Anne Walkley?

SIR GEORGE GREY: Sir, I know nothing of this case except from the report in the newspapers of the proceedings at the inquest. If the finding be correctly given, as I apprehend it is, it would appear that in the opinion of the jury death was caused immediately by apoplexy, but was accelerated by long hours of work in overcrowded apartments, and by sleeping in an ill-ventilated bedroom. There is no doubt that it would be very desirable to establish by law a system for the better regulation of workrooms, and for the prevention of evils such as those disclosed by the present case; but I am not prepared to say, on the part of the Government, that it would be possible to establish a general system of registration and inspection of these workrooms, many of which form portions of private houses. My hon. Friend adverted, I presume, to the law by which masters and mistresses, who are liable to provide for their apprentices food, clothing, and lodging, and have wilfully omitted to do so, are subject, upon conviction, in cases where there has been danger to life or permanent injury to health, to very severe punishment. I cannot say whether that law is applicable to this case. There appears to be some doubt whether this young woman was an apprentice, or whether she was a servant or hired workwoman.

THE GLASGOW MURDER—CASE OF JESSIE MACLACHLAN.

QUESTION.

SIR MICHAEL SHAW STEWART said, he wished to ask the Secretary of State for the Home Department, Whether the remarks of Lord Deas (as printed at pages 61 and 62 of the Parliamentary Paper relating to the MacLachlan case), on giving his decision at the MacLachlan Trial that the prisoner's declarations were to be read, were taken from a Report revised, or in any other way authorized by that learned Judge?

SIR GEORGE GREY, in reply, said, the remarks in question were taken from a Report which had been furnished to him. It was not an authorized Report, but he had never heard its general accuracy questioned. He had no doubt that the Report fairly represented the remarks of Lord Deas, but it had not been revised or authorized in any way by the learned Judge.

Mr. MACAULAY said, he wished to ask by what authority an oath was administered to John Ritchie, one of the persons examined by the procurator-fiscal before the Sheriff of Lanarkshire, touching the truth of the statement made by Jessie MacLachlan after her conviction of murder; and for what reason that person alone was sworn to the truth of his answers.

Sir GEORGE GREY said, that this was entirely a question of procedure, and he was unable to answer the question in the absence of his right hon. and learned Friend the Lord Advocate.

LANDLORD AND TENANT (IRELAND).

ROYAL COMMISSION MOVED FOR.

Mr. MAGUIRE: Sir, the question which I have now the honour to submit to the House is one in which every Member of this assembly ought to feel a deep interest. It is true, it does not concern the independence of Poland, the unity of Italy, or the national development of Greece. But it does concern the welfare and happiness of Ireland, the honour of Parliament, and the strength and power of the British Empire. Some English Members may possibly imagine that they have not a very deep interest in a question which mainly concerns Ireland and the condition of its people. But, when rightly understood, I venture to say there is not an English Member, if he really consider the intimate relations between his own country and Ireland, who will not find that his own constituents are interested in this question, and that they are influenced, either injuriously or beneficially, by the condition of Ireland. So long as the Union exists, it is impossible to sever the interests which link the two countries together, or that the people of Ireland can suffer grievously without the people of England being affected in some degree. Take an instance in point. When the famine raged in Ireland, and disease born of famine slew its thousands in every county of that kingdom, there was scarcely an interest in England which did not suffer—merchants, bankers, traders—all found their trade injured and their resources embarrassed by that Irish calamity; and there was not a counting-house in London or Liverpool which did not feel the influence of the distress that desolated Cork or Connemara. I freely admit there was at that time no lack of voluntary Christian sympathy; but what I assert is, that there was not an interest in England which did not also experience an involuntary sympathy with the sufferings of Ireland. On the other hand, when Ireland is prosperous and when her people are free from suffering, England benefits thereby; for there is not in the world a better customer for the merchandise and manufactures of England than Ireland has been. Therefore, it is the interest of England to assist in placing the people of Ireland in a condition of prosperity, comfort, and independence. I truly believe there is not an Englishman in this House who would not desire to see Ireland happy and contented. I go further, and express my belief that there is scarcely an Englishman of anything like intelligence or good feeling throughout this country who would not wish the same. Englishmen frequently ask what is the real cause of the misery of Ireland—what is the cause of that chronic poverty and wretchedness which is the reproach of England and the astonishment of the civilized world? There are some who perhaps attribute it to the religion of the majority of the people of Ireland, and there are others who set it down to the existence of a State Church; but these are very short-sighted views of the case—for the misery and poverty of Ireland are traceable to quite another cause. Any man who seriously considers what Ireland is, will soon begin to understand the source and cause of the evil. Ireland is essentially an agricultural country. In England you have commerce, manufactures, trade, as well as agriculture. But if there be commerce, manufactures or trade in Ireland, these depend directly or indirectly upon the one great interest—agriculture; and upon the agriculture of Ireland the vast mass of her people depend, not merely for their prosperity, but for their very means of existence. And thus it is that if you want to trace the cause of the poverty and misery that exist in Ireland, you must see in what condition are the tillers of the soil; and in what relation they stand to the soil itself. Sir, the true cause of the evil lies in the precarious hold which the tillers of the soil have of the land they cultivate. This is the true source of that misery which we deplore; and it is to prove this to the House that I now desire to engage its attention. No doubt, English Members may think it strange that there should be any greater necessity to interfere between landlords and tenants in Ireland than there is to interfere between landlords and tenants in England. But the answer is conclusive upon that point—the relations between landlord and tenant in Ireland are essentially different to what they are in England. As a rule, everything in the way of permanent improvement—in fitting the farm for the occupancy of the tenant, and for his proper working of his holding—is effected in England by the landlord; whereas in Ireland the rule—to which, however, there are many noble exceptions—is that the landlord does nothing, the tenant everything that is done. This is the cardinal difference between the state of things in the two countries, and this is the ground upon which all interference is demanded or justified. I shall proceed to show, on the most indisputable authority, the truth of this proposition. And no higher authority can I refer to than the Devon Commission, who were appointed in 1843, who inquired into the condition and laws of Ireland in 1844, and who reported to Parliament in 1845. But there are other authorities, upon whom the Government relied in 1860 for their justification in interfering between landlord and tenant in that country. In March 1860, the Chancellor of the Duchy (Mr. Cardwell), then Secretary for Ireland, used these words —

> "The first question that anybody will naturally ask is—' Why is it necessary to deal with the land of Ireland in a manner different from that of England or Scotland?' That question has been repeatedly answered in this House in language of the highest authority. Those who are familiar with the works of Arthur Young, of Mr. Burke, or of Mr. Mill, know that in their successive generations those practical and philosophic writers have drawn a broad distinction between the state of land in Ireland on the one side, and its state in England and Scotland on the other. . . . . . . Every Minister and every Member of Parliament who has handled this subject, from the Earl of Derby in 1845, down to the hon. Member who last brought it under our notice, has expressed in the most emphatic terms the necessity of dealing with it for Ireland, in a manner specially adapted to the circumstances of that country." [3 *Hansard*, clxvii. 1554.]

This difference between the circumstances of the two countries constituted the basis for exceptional legislation for Ireland. As such, it was relied on by Her Majesty's Government. This difference is clearly set forth in the following extract from the Report of the Devon Commission, to which the attention of English Members is requested :—

> "It is well known that in England and Scotland, before a landlord offers a farm for letting, he finds it necessary to provide a suitable farm-house, with necessary farm-buildings, for the proper management of the farm. He puts the gates and fences into good order, and he also takes upon himself a great part of the burden of keeping the buildings in repair during the term ; and the rent is fixed with reference to this state of things. Such, at least, is generally the case, although special contracts may occasionally be made, varying the arrangements between landlord and tenant. In Ireland the case is wholly different. . . . It is admitted on all hands, that according to the general practice in Ireland, the landlord builds neither dwelling-house, nor farm offices, nor puts fences, gates, &c., into good order, before he lets his land to a tenant. The cases in which a landlord does any of those things are the exceptions. The system, however, of giving aid in these matters is becoming more prevalent. In most cases, whatever is done in the way of building or fencing is done by the tenant ; and in the ordinary language of the country, dwelling-houses, farm buildings and even the making of fences, are described by the general word ' improvements,' which is thus employed to denote the necessary adjuncts to a farm, without which in England or Scotland no tenant would be found to rent it."

That was the statement and the state of things which justified Lord Derby, Lord Aberdeen, and every other Minister and Statesman, in attempting to grapple with the subject of the tenure of land in Ireland ; and that being as a rule, the state of things in 1863, it is my justification for asking for the further intervention of the Legislature. What I desire to obtain for Ireland is such full and adequate protection for the industry of the Irish tenant, and for the enjoyment of its fruits, as will stimulate his industry to the utmost, and thereby add to the wealth and prosperity of the country. Let us now see what the Devon Commissioners say upon this important subject—what, in fact, was the result of the evidence which they obtained throughout Ireland, and from all classes of the people. In page 156 of the Digest, drawn up by the Commissioners, they say—

> "The want of some measure for tenants' improvements has been variously stated as productive, directly or indirectly, of most of the social evils of the country."

And, in the following passage, they afford an explanation of the problem, which seems so difficult of being understood by those who do not understand the position of the Irish tenants :—

> "It has been shown that the master evil, poverty, proceeds from the fact of occupiers of land withholding the investment of labour and capital from the ample and profitable field that lies within their reach on the farms they occupy ; that this hesitation is attributable to a reasonable disinclina-

tion to invest labour or capital on the property of others, without a security that adequate remuneration shall be derived from the investment; that no such security at present exists in regard to the vast mass of cases, including tenancies from year to year and leases with short unexpired terms; that the characteristic tillage of the country is laborious and unprofitable; that the introduction of the more profitable courses of cultivation must be impracticable until the requisite preparatory improvement of the soil shall have first taken place."

What is the necessary result of this want of security for the enjoyment of the fruits of the tenant's industry or outlay—of the property which he has created on and in the land of another? The Commissioners state that the small tenant will not expend his labour in improving the land, nor will the large farmer expend his capital in its improvement, because he apprehends, that if he happen to hold his farm from year to year, or at will, he may be either turned out of the holding which he has improved, or his rent may be raised to such an extent that he will have to pay the full value of his own improvements; or, if he hold by lease, on the termination of his lease he may be got rid of, or his rent so raised as that he loses all interest in his outlay, and his farm, on which he expended his capital and his energy, sold over his head to another person. If this be the case—and the Commissioners say it—who can wonder at the state of things which exists?—who can be surprised at the poverty of the people, at the wretched condition of their dwellings, or at the imperfect condition of the agriculture of the country? Give the people of Ireland security for their industry, and you will affect a marvellous change in the appearance of the country, and in the condition of its inhabitants. You will change their dwellings, their raiment, their food. You will, in a word, make the Ireland of the future the very opposite of the Ireland of the past, and the Ireland of the present; for there is no country in the world which offers a better and surer field for the investment of capital and industry in the improvement of its soil than Ireland does. Let us see what the Commissioners say upon the value of substantial security—

"The most general opinion is, that if a substantial security were offered to the occupying tenant for his judicious permanent improvements, a rapid change for the better would take place—a change calculated to increase the strength of the Empire and the tranquillity of this country; to improve the food, raiment, and house accommodation of the people; to remove that paralysis of industry which the sworn evidence of nearly every tenant and numerous landlords examined on the subject has proved to exist; to call into operation the active exertions of every occupier of land upon his farm; to add about five months in each year to the reproductive operations of farmers and labourers, which are now passed in idly consuming produce, accumulating debts or, for want of better employment, perhaps in fomenting disturbance."

Lest it might be said that the state of things desirable by the Commissioners accurately represented the state of things in 1844, and not the state of things in 1863, I may mention that I received a letter a few days since from an extensive seedsman of Cork, a gentleman with whom I am well acquainted, and who has, as he states, accounts with more than a thousand farmers of the South of Ireland; and in this letter, which was volunteered, not asked for, the writer (Mr. Thomas Jones) represents the condition of the land, and the position of the tenant at the present moment. It gives you the actual state of things in 1863—

83, Grand Parade, Cork, June 16th, 1863.

* * * * *

"I do think that a Tenant Compensation Bill will, and must pass—that is, a *bona fide* one for solid and permanent improvements in the way of draining, fencing, farm roads, farm gates and piers, and farm buildings to a proper extent, as to the size and requirements of the number of acres in the farm, for the country is in a disgraceful state for the want of them. Men of capital will not take land even on a thirty-one years' lease, as it is a positive fact that ninety-five out of every hundred farms in the South of Ireland want all the above requirements, and the land almost invariably is worn out. Therefore, it will, at all events, take nearly half this term to put a farm in proper working order; and landlords, as you are aware, will not, or cannot, make the necessary improvements. If a tenant will make the improvements out of his own pocket, you know that at the end of his term out he walks, or has to submit to such an advanced rent as he cannot pay, and not a shilling allowed for his toil and capital in making property for his landlord. Begging your excuse for troubling,

"I am, dear Sir, yours very truly,
"THOMAS JONES, Seedsman.
"John Francis Maguire, Esq., M.P."

There are many landlords, no doubt, who deal kindly with their tenants, and delight in seeing them prosperous and contented; but, as a rule, the feeling of the people is, that if they improve their holdings, they do so at their own risk, and that in doing so they are rather improving the property of their landlord than advancing their own interest. I have a further evidence of the existence of this feeling. I presented this evening thirty-five Petitions from one Irish county alone, with 12,000 or 15,000 signatures—not merely of poor farmers, or persons in humble position, but of professional men and of the trading classes. Among the names attached to those Petitions were those of two Roman Catholic Bishops—prelates who thoroughly understand the condition and feeling of the agricultural classes. The petitioners say that the present state of Ireland is one of severe suffering and distress—

> "That the great and permanent cause of this deplorable condition, aggravated though it be by three successive bad harvests, is to be found in the unsettled state of the land question.
>
> "That the extensive and increasing emigration, from a people already reduced in numbers, deserves the serious attention of Government; and it would be wiser to make the young and able-bodied happy at home, than to compel them, by want of employment, to carry their energies and discontent to a foreign, and perhaps, at a future time, an unfriendly country.
>
> "And they therefore pray your honorable House to inquire into the state of the land tenure in Ireland, with a view to the adoption of such remedial measures as the subject may require."

That Petition expresses the opinion of all the Catholic Bishops and priests of Ireland, and of the tenants of the country, Protestant and Presbyterian, as well as Catholic. It is the opinion also of shopkeepers and traders and professional men—all of whom are interested in the good cultivation of the soil, and the prospects of the farming classes. If the same state of things existed in Ireland which exists in England, no Irish Member would think of asking for special legislation; or if the tenants of the other provinces of Ireland possessed the same security wich the tenants of Ulster enjoy, there would be no demand and no necessity for any interference by Parliament. The difference between the North and the South is, that there is security for the occupiers of the soil in the North, and that there is none in the South; and if the cause of those agrarian outrages, which bring a blush of shame to the brow of the Irishman who loves his country, be searched to the bottom, it will be found to consist in this want of security. In Down and Antrim the tenant is protected by the custom of tenant-right, while in Cork or Tipperary he has no protection at all, save when he has a lease. Tenant-right may be thus briefly described. Whether the tenant in Ulster, wherever this custom exists, holds at will or by lease, he has the right of selling to an incoming tenant his good-will, or tenant-right, in which improvements and occupancy are combined. This he can do whether he quits of his own accord, or is evicted for any cause. The landlord is sure of his rent, for he has the first claim on the purchase of the tenant-right, and the tenant not only has the best possible security for his outlay of capital, but the surest protection, in the sale of his tenant-right, or good-will, against the poverty and ruin to which the peasant in Tipperary, or any of the Southern counties, is reduced by being driven from his holding. In the one case, the tenant has money in his pocket; in the other, he has no alternative save the workhouse or emigration. For in the South, save in rare instances, no such custom as this tenant-right of the North exists; and any man who holds from year to year may be turned out at any moment, without a farthing of compensation; and the tenant with a lease may have the rent raised upon him at the termination of his lease, or his land may be given to another, on whom he would have no claim for his improvements. Call it tenant-right, or call it certainty of receiving ample compensation in case of eviction, I care not which; but afford some such protection to the tenants of Ireland, and you will give them what the tenants of England enjoy—security for the enjoyment of the fruits of their labour, and encouragement to expend their capital, their skill, and their industry upon the land. Let the people of Ireland obtain this security, and Parliament will get rid of many an appeal from a mendicant country, whose poverty and misery are to be traced, not to the character of her people, but to the evil influence of a bad system of land tenure. Surely it cannot be wrong to desire to see and to endeavour to obtain for Munster that which exists in Ulster—that which the landlords of that province would not venture to tamper with, for the very good and sufficient reason which I shall proceed to give. I quote from the evidence given by Mr. Hancock, of Antrim, an extensive land agent. He thus describes the value and the justification of this tenant-right—

> "I consider tenant-right beneficial to the community, because it establishes a security in the possession of land, and leads to the improvement of the estate, without any expenditure of capital on the part of the landlord. It likewise affords the best security for his rent, as arrears are always allowed to be deducted from the amount the occupier receives for tenant-right. It is very conducive to the peace of the country, for almost every man has a stake in the community, and is therefore opposed to agrarian outrages as well as riots. . . . . In fact, it is one of the sacred rights of the country which cannot be treated with

impunity; and if systematic efforts were made amongst the proprietors of Ulster to invade tenant-right, I do not believe there is force at the disposal of the Horse Guards sufficient to keep the peace of the province; and when we consider that all the improvements have been effected at the expense of the tenant, it is perfectly right that this tenant-right should exist."

I especially call attention to the last words of that evidence, in which tenant-right is justified on the ground that all improvements have been effected at the expense of the tenant. I turn to the Report of the Devon Commissioners, and I find in their statement the very same justification for the claim of tenant-right in the South of Ireland. "In most cases," say the Commissioners, "whatever is done in the way of building or fencing is done by the tenant." Again, they say—

> "It is admitted on all hands, that according to the general practice in Ireland, the landlord builds neither dwelling-house, nor farm offices, nor puts fences, gates, &c., into good order before he lets his land to a tenant."

Therefore, in natural equity, the tenant should be allowed to sell his good-will in the South, just as the tenant in the North is entitled to dispose of it under the custom of tenant-right. Referring to the sale of the "good-will," the Commissioners have this significant passage—"In the North, where it is permitted, agrarian crimes are rare. In other places, where it is resisted, they are of common occurrence." I shall allude further on to this subject of agrarian outrages. Now, turn to the evidence of an impartial witness, Professor Low, of Edinburgh University, who, in his text book on the *Domestic Animals of Great Britain*, thus alludes to the husbandry and stock in Ireland. He says—

> "But when we speak of defects in the husbandry of Ireland, we must remember that the removal of them is not always within the reach of common remedies. The evil may be seen, but the source of it may lie in the condition of the people, the state of property, and the relations between landlord and tenant."

Referring to the absentee drain—which is an additional reason why Parliament should be tender to Ireland, and should seek to foster the industry of her people by wise and generous legislation—the Professor says, "At this hour a larger tribute is thus imposed upon the industry of the country than any conqueror ever imposed upon a subject colony." And he thus concludes—

> "One effect results from this destitution, that there is no barrier between the tenants and the demands of the receiver of rents. In England the habits and condition of the people are opposed to an excessive exaction on the industry of the farmer. The English yeoman will not take land at all unless he has the means to live, and to obtain a fitting return from his capital in trade. The Irish peasant must take the land in order that he may subsist, and is compelled to share his pittance with another to the uttermost residue that will permit himself to live. Hence the rents in Ireland are larger, in proportion to the means of payment, than any country in Europe. While this defective relation exists between the landlord and tenant—while the disposable produce of the land is expended out of the country which it should enrich, and away from the poor man whom it should employ—while the land is parcelled out in order that excessive rents may be wrung from those that till it—while the pecuniary claims of the landlord or middle men are more directly answered by means of peasants content to subsist on the scantiest pittance, than by the industry of tenants possessed of means to improve the land—we must expect that the resources of the country will be imperfectly developed, and that poor and wretched husbandmen, as well as miserable breeds of sheep, will possess it."

Professor Low has justly asserted that the rents in Ireland are larger, in proportion to the means of payment, than in any country in Europe. Although during the recent years of distress several landlords have lowered their rents, I know of too many cases where, on the contrary, rents have been screwed to the highest pitch, and tenants have consequently been reduced to the fare of the dog and the hog. A short time ago—not a month since—a laudatory notice of a dinner given by the tenants of a certain estate to the agent appeared in the Irish newspapers of the South; but in a few days after a letter appeared from one of the tenants, in which there is this passage. I, of course, suppress names, for there is no occasion for their mention—

> "Mr.——, in proposing the health of our young landlord, called on the agent, Mr.——, to represent to him the urgent necessity of giving us a reduction in our rents, or we would be soon smashed, as we are paying about three times Griffith's valuation for our land. I earnestly beg, sir, that you will insert this, in the hope that it may meet the eye of our young landlord, whose kindness we have no reason to doubt, were he to know our wretched condition."

It may be said that the operation of the Incumbered Estates Court was of great advantage to Ireland, inasmuch as it effected the transfer of property to the amount of more than £25,000,000, and introduced a new race of landlords. A change of landlords has not in all cases been of benefit to the people, for bad as some of the old ones were, there are some of the new who are worse. No doubt, many of the new proprietors are men of means, station, and of large and liberal "none." No applications—no orders—no "annuities" — no decrees—in fine, the Act of 1860 has been wholly and entirely inoperative, as we predicted it would be. Its machinery is too complicated, its inducements are too limited, and the conditions are too restrictive and deterring; therefore it has not been availed of in a single instance. So far, by this Return, I have proved my case. The measures of 1860, intended as a final settlement of the claims of the Irish tenant, have been found to have been wholly inoperative. The next question then arises—is there a less or a greater necessity for legislation in 1863 than there was in 1860? I assert, with the utmost confidence, there exists a far greater necessity for legislation now than there was then. Ireland has passed through a fearful crisis since that legislation was attempted; and though I do not by any means despair of my country — I should have a very poor opinion of the Irishman who did—still no one can deny that the condition of that country is such as to demand the serious attention of Parliament and the care and consideration of the Government. Ireland has actually gone back instead of advanced. A few figures will establish this fact beyond the possibility of doubt. Some time since my hon. Friend the Member for Rochdale (Mr. Cobden) asked me how was it that Ireland paid for the enormous quantity of foreign corn brought to her shores. I gave him the answer then, that she paid it out of her capital; but the answer is to be found in a pamphlet written by Dr. Hancock, in support of the Government, and at the desire of Lord Carlisle. It is addressed to General Larcom, and printed by the Queen's Printer. It appears from this Government pamphlet that Ireland lost in live stock, from 1859 to 1862, to the value of £4,160,000; in other words, she was compelled to sell her live stock to that amount to pay for foreign-grown food. In 1853—nine years since—she had 133,000 more cattle than she has at present. In 1854—eight years since—she possessed 267,000 more sheep than at present; and in 1858 she had 258,000 fewer pigs than in 1852. Dr. Hancock is compelled to admit that these figures conclusively establish a serious decrease in wealth. The Government stock on which interest is paid in Ireland, amounted in 1857 to £42,217,000, and in 1862 to £38,081,000 — showing a decrease of £4,126,000. This decrease, says Dr. Hancock, is sufficiently great to cause anxiety. There were still between £14,000,000 and £15,000,000 of deposits in Irish Joint Stock Banks, and I may remark that on this fact I place great reliance, for, according to the Castle pamphleteer, the great bulk of the depositors are the tenant-farmers of Ireland. But even here there is also a serious decrease, to no less than £2,250,000, which, as Dr. Hancock stated, "indicates a great deterioration in the wealth of the farmers since 1859." In two years—1861 and 1862—the circulation of Irish notes decreased by £1,274,000. Added to this loss of the capital of the country, there are the enormous losses sustained by the farmers in their crops since 1859. Dr. Hancock estimated those losses as follows: — From July 1860 to July 1861, at £4,544,000; from July 1861 to July 1862, at £10,360,000; from July 1862 to July 1863, at £12,107,000—making a gross loss of about £27,000,000, or twice the rental of the country. These figures, which are altogether taken from a pamphlet published at the instance of the Lord Lieutenant of Ireland, prove this—that if legislation were necessary in 1860, when his Excellency assured us we were marching on the high road to prosperity, it is far more necessary now. Another indication of the state of the country is the amount of its population. There is no parallel to the state of the Irish population in the history of the world. England has had the undisputed administration of the affairs of Ireland for the last sixty-three years; and how stands its population at this moment? Why, Sir, there are about 400,000 less people in Ireland in 1863 than in 1811. In 1811 the population was 5,937,856, and in 1861 it was 5,764,543, showing a decrease in the fifty years of 173,313 persons. If we add 230,000 for the number that have left since the census of 1861 was taken, we shall have 400,000 less in 1863 than in 1811, or more than half a century since, during which Ireland has been an integral portion of the British Empire, and under the control of the English Parliament and Government. The decrease since 1841—or a period of twenty years — has been 2,410,581. As Mr. Caulfield Heron says in his pamphlet, "The mind fails to grasp fairly these gigantic figures." I ask, is this amazing reduction of the population a proof of good government—or, rather, is it not a proof that there is something wrong, and that Parliament ought to intervene? I ask for inquiry, in order that the interference of Parliament may be more effectual. During the last forty years somewhere about 4,000,000 of the population of Ireland have been driven abroad—to England and Scotland, to Canada, to the United States, and to Australia. It has been asserted as a fact—and I have no reason to doubt it—that the largest nationality in the United States at this moment is the Irish. To estimate properly the decrease in the population of Ireland—in that which in every other country in the world is regarded as an element of strength and power, let us take the proportions of a few independent kingdoms:—Switzerland, 2,510,000; Saxony, 2,225,000; Norway, 1,600,000; Denmark, 2,780,000. "A great kingdom," says Mr. Caulfield Heron, "could be formed from the population which Ireland has lost in twenty years of misery and degradation." Mr. John Stuart Mill is a very high authority with the Gentlemen on the Treasury bench, and is often quoted by them and their followers. Remember it has been attempted to show that this enormous loss of the population has been for the benefit of Ireland. But Mr. Mill, in his work on Political Economy, which is the text-book in every university in Europe, says—

> "When the inhabitants of a country quit that country *en masse*, because the Government do not make it a place fit for them to live in, that Government is judged and condemned. It is the duty of Parliament to reform the land tenure of Ireland."

Dr. Hancock, the Castle pamphleteer, remarks on two points in a manner highly significant. He says, that should more favourable seasons return, and should a better understanding prevail between landlords and tenants, so as to secure a further increase in agricultural wages and greater stability in farming profits, it might be expected that the emigration from Ireland would assume a similar character and proportion to the emigration from England and Scotland. And he also remarks that it is a matter of grave inquiry, why the farmers of Ireland should lend such large sums of money to the banks at a very low interest, to be employed in large towns, and much of it in London, instead of spending it upon agricultural improvements in their own country. The fact is, the means of salvation exist in Ireland if Parliament will only have the courage to grasp them. There is capital in abundance. There are more than £14,000,000 deposits in the banks—there is money in the thatch—money in the stocking—money in the box—money hidden away—money which the people are afraid to show or admit they possess—money which they retain ready for flight, but which they obstinately refuse to invest in the best bank of all, the land of the country. There are some who imagine, that should Ireland lose many more millions of her population, it would be no permanent loss, because Englishmen and Scotchmen would take their place. To those who hold the opinion, that if Ireland lost one race of Celts, she would gain another race of Celts, or that her loss would be supplied by the sturdy Anglo-Saxon race, I would recommend to their consideration the observations, on this head, of an intelligent writer in the *Spectator* newspaper, who uses these words—

> "Re-settled sounds very well; but who, with land in America granted gratis under the Homestead Law in farms of 160 acres to every naturalized applicant, is going to take worse land at £2 an acre? If an Englishman moves, he may as well go to Ohio or Melbourne as Tipperary; and though Scotchmen take more kindly to Ireland, they are too thrifty to multiply fast. But even were it possible, the depopulation of Ireland would be the most dangerous of catastrophes. The Empire would lose not only men as good as any remaining, not only the best recruiting ground for recruiting for her army, but an element of marvellous value in the aggregate national character."

The writer in the *Spectator* goes on to say that besides these considerations "one has heard of such things as justice and mercy, Christianity and civilization;" and he winds up by saying—

> "Our duty is to reconcile Ireland, and make it a part of the Empire as much as Scotland; and it is not to the credit of the Liberal party that they refuse to inquire into the facts because they are exaggerated, or remove great grievances because presented in an excited, irrational way."

Sir, I can only hope that I have not made myself amenable to such criticism—that I have not exaggerated facts, or represented grievances in an excited, irrational way. I only seek that Parliament may legislate for Ireland in a wise and generous spirit, or, if Parliament desire fuller information before attempting to legislate, that it will grant the Commission of Inquiry for which I ask in my Motion. I deeply love my country, and ardently wish for her prosperity; and if Parliament will only legislate for her in a wise, a generous, and a conciliatory spirit, I believe that Ireland may become the right arm, the strength, and even the pride of England, instead of being, as she is now, and has been too long, her reproach and shame in the eyes of the whole world. The ground is clearer for legislation now than it was twenty years ago. The minute sub-division of the land into small farms has greatly disappeared as a few figures will prove. The number of holdings from one to five acres in 1841 was 310,000, while in 1861 it was only 85,000, or a decrease of 225,000. Those between five and fifteen acres in 1841 were 252,000, and in 1861 but 183,000, showing a decrease of 69,000. This gives a gross valuation of holdings between one and fifteen acres of about 300,000. On the other hand, the number of holdings between fifteen and thirty acres rose from 79,000 in 1841 to 141,000 in 1861, showing an increase of 78 per cent; and those of thirty acres and upwards rose from 48,000 in 1841 to 157,000 in 1861, or an increase of 109 per cent. The gross number of farm-holdings in 1841 was 691,000, and in 1861 it was 568,000—the reduction within the last twenty years amounting to 123,000, or 17 per cent. Therefore, I am right in asserting that the ground is clearer for legislation in 1863 than it was in 1841. A writer in *The Daily Telegraph*, who lately wrote of Ireland in a spirit not usual to that journal, described her as

> "That hopeless sister of ours, sitting mournfully by the wayside, her bright eyes dim and dull with weeping, her warm heart numb with grief;"

declared that she must and shall be saved if the whole resources of the Empire had to be concentrated upon the task. Now, Sir, I do not demand that the whole resources of the Empire should be concentrated upon the task. I, an Irishman, expect nothing of the kind. I simply ask for wise and liberal legislation. The writer says there is hope for Ireland. Why? Because the Chancellor of the Exchequer has lately addressed a few kind words to her. The right hon. Gentleman said that money should be advanced to Ireland upon adequate security. Now, loans for reproductive works are, *pro tanto*, most admirable things, and I trust that the Chancellor of the Exchequer will redeem the promise he has shadowed forth in that respect. But what is most wanted for Ireland is that the arm of industry should be unshackled—that the tenants, be they small farmers or large farmers should be encouraged, by liberal inducements, to take their money out of the bank, out of the box, or out of the thatch, and invest it in the improvement of the soil, so that they may live like Christian men in a free country, making all fertile and beautiful about them, instead of leaving the land swampy and barren as it is in too many instances. Agriculture suffers much in Ireland from the great want of drainage. Of one kind of drainage, indeed, namely, by absenteeism, we already have more than sufficient; but, for want of a different kind of drainage, the land is so saturated with rain, that this undue moisture frequently kills the seed, and destroys the hopes of the husbandman. The ill-drained state of her soil is one of the reasons why Ireland cannot gather in and save her crops as early as England. But induce her people to drain and cultivate the soil well; and if these two things be accomplished, they may to a certain extent defy the elements, although they should take their chances for unfavourable harvests as their brother farmers of England and Scotland. There is a vast work to be done, and it can be done alone by the people; and what I ask you is, to strike the fetters from the arm of industry, that is now paralyzed by want of security, and give freedom to those who are as willing as they are able to do the work. Do not traduce the character of the Irish peasantry. When they go to other lands, they are able to push their way in the world—they thrive and prosper. Let one fact—which ought to be written in letters of gold—be told in refutation of the slanders uttered against a frugal and industrious race—that the Irish emigrants sent home to their relatives in Ireland in little more than a dozen years £12,000,000 out of their hard earnings. Let them have the same motive for exertion at home, and this calumniated race will do as well at home. See them in a foreign land. Do they shrink from toil or from danger whether in war or in peace? Are they backward in the use of either the spade or the bayonet? These Irish exiles are the strength and the hope of other lands; why not make them the strength and hope of their native country? In their own country they cannot put forth their energies—the law will not permit them—it discourages and droops their spirits—they have no protection for the investment of their labour and their savings in and upon the land. I do not depreciate Irish landlords. There are many good, noble, and generous; there are others not so—there are some bad—capricious and regardless of the welfare of the people confided to their care. Irish landlords may be kind and generous, but they sometimes act from passion and evil impulse; and I say that the class who, after all, are the great base of the social fabric ought not to be left dependent on the mere will of the best landlords in the world. I may be asked why I do not bring in a Bill to remedy what I consider to be an evil? I have not the presumption to do so. That duty belongs to the Government. I have shown that the measure of the Government has, upon trial, proved an utter failure. I therefore appeal to them to grant a Commission to inquire what is necessary in order to raise the condition of Ireland to a level with that of the rest of the Kingdom. Or, if they will not consent to an inquiry, and if they are satisfied to act on the information of which they are in possession, let this be done—let the Chief Secretary, acting on behalf of the Government, call to his aid the Attorney General for Ireland, who thoroughly understands the wants of the Irish tenants, and what would best develop their industry in the improvement of the land, and placing before him the legislation of 1860, say, "Come, in the name of God, let us see what we can best do to serve and benefit your poor country." Let them promise me that they will seriously re-consider the Acts of 1860, and I shall be ready to withdraw my present Motion. But one thing or other we ought to have. For my part, I shudder with apprehension at what another year may bring, if we are afflicted with another bad harvest in Ireland. There will be general bankruptcy among all classes, and England cannot escape from injury. Lord Devon, in his preface to the digest of the evidence taken before his Commission, referring to remedial measures for Ireland, asks, "And what citizen of this United Kingdom can venture to think, that he has not a deep interest in the solution of these questions?" I ask the Government to take up these questions for the good of the country, the honour of Parliament, and the glory of their Queen. If they do not do so, and if we are further afflicted, despair will go hand in hand with misery, and the people will be driven, not in thousands, but in hundreds of thousands, from the shores of Ireland. At the present moment, sixty-three years after the Union—there exists in Ireland misery which is a disgrace not only to England, but a scandal to humanity and civilization; and I now call upon the Government and Parliament of England to endeavour to wipe out this terrible reproach, and to consider the condition of Ireland in a wise, a liberal, and a generous spirit. The hon. Gentleman then moved the following Resolution:—

> "That, inasmuch as the measures of 1860, intended as a final settlement of the claims of the Irish tenant, have proved, by Returns laid upon the Table of this House, to have been wholly inoperative; and, inasmuch as the present condition of Ireland requires the special attention of Parliament, with a view to the adoption of wise and salutary laws, which may stimulate industry, and protect the enjoyment of its fruits, an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission to inquire into and report upon the state of the agricultural classes of Ireland, and to suggest such improvement in the relations between Landlord and Tenant as may seem necessary and expedient."

MR. BAGWELL, in seconding the Motion, said, that of all the numerous subjects which cropped up from time to time in that House there were none so distressing to Irishmen, and so worthy of the deep consideration of Parliament, as that which had been brought under their notice by his hon. Friend the Member for Dungarvan. In that House they were within an eleven hours' journey of a country which was as different from England as any one part of the civilized world could be from another. Here in England everything was flourishing; capital abounded, and always found profitable employment; while in Ireland, a country governed under the same Sovereign, there was a diametrically opposite state of affairs, and a state of things existed which could not be matched in any country in Europe. Things had arrived at such a point in Ireland that it was time for statesmen to take the matter boldly in hand; it was no longer possible to go on with a shilly-shally policy, or to govern the country by setting one class of its inhabitants against another. It was time for the rulers of the Empire to consider the subject with the view of seeing how they could preserve both landlord and tenant, for both were in imminent danger of ruin if things went on as they were. He should not go into statistical information, but should speak from his practical knowledge of the land question, which he might venture to say was greater than that of his hon. Friend the Member for Dungarvan, whose mission had chiefly been in towns. Now, the tenure of land in Ireland was not altogether precarious. On some estates in that country the same families had lived from generation to generation; though in other parts, especially those which had changed owners under the operation of the Encumbered Estates Court, that was not the case. His hon. Friend had said that in England the landlords made all the improvements; but in a country let out in small farms, as Ireland was, it would be quite impossible for the landlords to execute all the farm buildings on their estates. But from the South of Ireland they must look to the North, and see whether they could not have the tenants as well provided for by the introduction of a bold system of tenant-right, such as that which prevailed in Ulster. To a great extent tenant-right existed in the South of Ireland, but not in the same way as in the North, where it was regarded as a land law. Though holding office under the Government when it was introduced, he was of opinion at the time that the Bill introduced by the right hon. Gentleman then Chief Secretary for Ireland, and now Chancellor of the Duchy of Lancaster (Mr. Cardwell), would be a failure. No Chief Secretary had laboured with bette rintentions than his right hon. Friend; but his total ignorance of Ireland had prevented him from doing the good which otherwise he would have effected for that country. Where there was a hostility to landlords, gentlemen in the position of landed proprietors must labour under great difficulties in the endeavour to discharge their duties. But it must be admitted that on some estates in Ireland there was a system of annual notice to quit. Could anything be more intolerable, more degrading to the tenant, more likely to drive a man to desperation, more likely to take away his self-respect, or better calculated to render him hostile to his landlord and to the laws of the country? He was happy to say that tenant-right was gaining ground among the landed gentry in Ireland. It had lost its terrors, and was no longer regarded as a confiscation of property. That day one of the largest land agents in Ireland had told him that he saw no objection to going even as far as retrospective tenant-right. Emigration from Ireland was going on to an enormous extent, and he had seen a very suggestive letter on that subject from a most amiable ecclesiastic, the Roman Catholic Archbishop of Cashel, in which it was stated that a large portion of the small farmers in Ireland were in so distressed a position that they could hardly hold on, even if they got their land for nothing, and that the best of the people, physically and morally, were flying from the land of their birth as if it was smitten with the plague. That was the language of no mere demagogue, but of a man who had done more than any other person in Ireland since the days of Father Matthew for the improvement of the people. The right rev. Prelate had said in a letter, that for want of some such security as this, the best of the people of Ireland were leaving their country. Within the last few years, and in the face of such a state of things, the taxes had been doubled in Ireland, whilst they had been reduced one-third in England. Did this look as if the two countries were under the same laws? He admitted that that unhappy state of things was in a great measure to be traced to those dreadful murders which were perpetrated in Ireland, and it was hardly possible to expect a blessing on the country while that system of bloodshed continued. But that was itself an evil for which it was the duty of a wise Government to devise a remedy, and, like a bold physician, to cut away the proud flesh and promote a healthy circulation in the body. He trusted, that as so long a time had elapsed since the Devon Commission, and as circumstances had so greatly altered, the Government would accede to the Motion of his hon. Friend, who, he hoped, would hardly be satisfied with the revision of the Act of 1860.

Question proposed.

Mr. BRADY said, that the subject was deserving not only of the consideration of the Government, but of every individual with a heart anxious for the welfare of the country; but he had no faith in Royal Commissions, which were generally issued for the purpose of shelving important but inconvenient questions. The state of Ireland would brook no delay, for from his own knowledge he could say, despite any assertion to the contrary, that Ireland had gone back, and was' in a worse position than she was thirty years ago. There was one thing that caused embarrassment, and was not thoroughly comprehended by the people of this country. That was tenant-right. People imagined that the tenant desired to have entire control over the property of his landlord, and ultimately to get hold of some portion of it; but that was a great mistake. Never was there a greater bugbear held up to alarm and delude the people of this country. The real fact was that nothing could be more in accordance with the interests of the landlord than the existence of tenant-right.

When the tenant was uncertain of his tenure, and was threatened with eviction, he endeavoured, by the process of sweating, to obtain from the land before he was dispossessed the labour and capital expended by him in its improvement; but where the tenant-right system was in operation in the North of Ireland, it was not the tenant's interest to take out of the land what he had put into it, because he would get from an incoming tenant what he had expended upon its improvement. As long as the tenure of land was so insecure as at present, they could not hope that the people would advance, or that the country would become tranquil, peaceful, and orderly. It would be contrary to human nature if such a happy state of things were to be seen under the circumstances at present existing in Ireland. Reference had been made to the murders committed in Ireland; but he would remind the House that more murders were committed in England in one week than were committed in six months in Ireland. No man could attempt to justify the murders committed in Ireland, but it should not be forgotten that they were caused by circumstances which could not exist in this country. Give the people of Ireland security of tenure, and their natural qualities would be developed, and the claims upon them would be met by the commercial punctuality they had ever shown their willingness to display. Let them raise the people of Ireland in their own estimation, and make them feel that they were working for themselves; and they would render them industrious, prosperous, and happy, and confer lasting blessings upon the country.

SIR EDWARD GROGAN said, he should regard it as a very unfortunate circumstance if the Motion of the hon. Member for Dungarvan were adopted by the House. Ireland had suffered most severely from a succession of bad harvests, and that was at a time when it was peculiarly desirable that the minds of the people should not be disturbed by expectations which could never be realized, and which would only foster an agitation for transferring the property of one class to another. The hon. Member for Clonmel (Mr. Bagwell) had stated that some landlords in Ireland were in the habit of serving their tenants every year with notices to quit. But the fact was, that although a few such cases might occur, they were only exceptions, and very rare exceptions, to the general practice of landlords. No doubt many of the Irish tenantry were at present in a very distressed condition; but no complaint was made that the landlords had by their harshness aggravated the evil, and that absence of any complaint afforded a conclusive proof that the landlords did not abuse their rights and powers. They were not now disposed to resort to those wholesale evictions which had to some extent been formally practised; they knew that their welfare and the welfare of their tenants were closely identified. It was true that the principle of tenant-right was largely recognised in the north of Ireland, and incoming tenants actually paid their predecessors in many instances much more than the land was worth. The result was, that they commenced their farming operations with little or no capital, and that they were thus unable to effect the most desirable improvements. It was not to the absence of tenant-right that the misery of Ireland was to be attributed. There were other causes of the evil; and among those causes must be specially enumerated that system of murder which stalked in midday through the country, while no honest effort was made by the tenantry to arrest and punish it. Men of capital were thus deterred from settling in Ireland, and the first thing to be done for the improvement of the country was to put down that frightful scandal. Tenancy at will prevailed in this country as well as in Ireland; and, indeed, the laws which regulated the tenure of land in the two kingdoms were identical; and yet there were no complaints of the relation between landlords and tenants in England; and the reason was that in England landlords and tenants knew their respective positions; if the Irish peasant would only exhibit in his own country the same indomitable industry and zeal which he manifested on a foreign soil, the same eagerness to advance himself by every legitimate means, while extending a generous aid to his friends, he would speedily raise himself in the social scale. But, unhappily, he was surrounded by too many unfortunate associations, which taught him to believe that midnight violence and secret associations could overbear the law of the land; that by these he and his friends could rule the country as they thought best, without regard to the wishes or the interests of others. His hon. Friend (Mr. Bagwell) complained that the Bill of 1860 had proved inoperative. But it had done so because Irish Members persisted in forcing upon the Government Amendments in the same sense as the present Motion of the hon. Member for Dungarvan. He did not hesitate to say that the hon. Gentleman and those who supported him were destroying the interest of the very class they wished to serve, by exciting the fears of the landlords, who held the power in their own hands. Legislation could never make a people industrious or self-reliant; but advice, assistance, and example might go a long way. The most useful lesson that Parliament or Royal Commissions could impress on the people of Ireland was that "honesty is the best policy."

MR. ROEBUCK said, that during his long experience in the House, he had continually heard Irish Gentlemen discuss Irish questions until he was quite incapable of understanding them. He would, however, make one suggestion to the Secretary of Ireland which he thought was an important one. The word "tenant-right," uttered in Englishmen's hearing, raised in their minds an immediate and involuntary feeling of disgust. They were tired of it, as the proposition appeared to be to take away a man's power over his own property. He would suggest a different course. Men often talked about the law of primogeniture, and sometimes they did not know what was meant by it. That law meant that a man might do what he pleased with his own property; but if he omitted to make a disposition of it at his death, the law stepped in and made it for him. That was exactly what he would do in the relations between landlord and tenant in Ireland. He would allow the landlord and tenant to make whatever contract they pleased—the landlord might demand what he pleased, and the tenant might consent to give what he pleased—but if they omitted to make an agreement, then he would have the law provide an agreement for them, and settle what the outgoing tenant should receive, and what the incoming tenant should pay. Thus there would be no misunderstanding of individual rights on either side. At present, no precautions of that nature had been taken except in the landlord's favour. If the Secretary for Ireland would endeavour to frame a law to carry out the view he had suggested, he would do much to put an end to the miseries of Ireland, and would do more to promote peace and comfort in that country than all the talk that had been uttered in Parliament during the last thirty years. Irish Gentlemen were eloquent and talked much about Irish distress, ill-treatment, and the tyranny of landlords. The hon. Member for Dungarvan was influenced by the best intentions, and he had made out a strong case, but he had suggested nothing. The hon. Gentleman said "Inquire." Why, they had been inquiring for the last sixty years. What was wanted was a Secretary for Ireland capable of making a law for Ireland; and if the right hon. Baronet would sit down at his table and do that, he would add great honour to a name already immortalized.

MR. POLLARD-URQUHART lamented that the subject of Irish distress had been so often brought before the House; but he desired to remind them that the question of agricultural distress in England had frequently engaged their attention in times past, that Commissions and Committees had been repeatedly appointed to inquire into the causes of that distress, and that it was only after the passing of a certain law in 1846 that complaints of agricultural distress in England had ceased. If the Government would deal boldly with the difficulties which he admitted did exist in connection with the question of landlord and tenant in Ireland, there would also be an end to the reiterated complaints that were now made upon that subject. Among the causes of the distress that existed in Ireland, he believed that the existence of cottier tenants was one—a class of tenants that had almost disappeared from England, owing to the existence of a Poor Law for two centuries and a half. The late Sir George Lewis, whose death all lamented, in a work he wrote in 1835, attributed the disturbances in Ireland to the absence of a Poor Law and the consequent necessity of a class of cottier tenants. Some English statesmen desired to see the same system of land cultivation that existed in England prevailing in Ireland, and large farms become the rule. But if they desired that, they must be prepared to see a still larger diminution in the population. The last census showed the population of Ireland to be 5,700,000, and Mr. John Stuart Mill calculated that the soil of Ireland could not properly maintain more than four millions; so that to reduce it to the state of England would require a further emigration of 1,700,000 of its inhabitants. Surely no one could desire such a remedy! Those who talked lightly of diminishing the population of Ireland had no right to be surprised at the declaration of the hon. Member for Sheffield (Mr. Roebuck), that every Irishman who emigrated to America carried with him an enduring hatred to England. It was sometimes doubted whether a landlord would eject a good tenant and take advantage of his improvements, and in past times the thing did not often happen; but recently a change of ownership had taken place in respect of much of the land of Ireland, and many owners had bought it as a commercial speculation from which to derive as much profit as possible. In such cases the tenant did require protection. He had heard of the case of a gentleman who was chairman of the Tenant-right Association of Louth, who purchased some land in that county, and immediately proceeded to raise the rents 20 per cent, and to give notice to quit to all the tenants. Such a case showed the necessity for some legislation. No course could be better than that proposed by the hon. Member for Dungarvan. The failure of tenants to pay rent arose from the bad harvests, and the bad harvests were the consequence of want of drainage. If Lord Aberdeen's Bill had passed, the land would have been drained, the corn might have ripened, and the rents would have been paid in full. He did not think that the principle of terminable annuities, which was embodied in the Bill of the right hon. Gentleman (Mr. Cardwell), passed some few years ago, came up to the reasonable expectations of the improving tenant; for who would build a decent house upon a terminable annuity of twenty-five years? He believed, however, that with very little alteration that Bill might be made to meet the existing evil. There had been agricultural distress in England, but the father of the right hon. Baronet (Sir Robert Peel) had taken it in hand, and put a stop to it. Could not the right hon. Baronet follow in the footsteps of his father, and by a short and simple measure provide a remedy for the great and lamentable distress in Ireland?

SIR GEORGE COLTHURST, after requesting the usual indulgence of the House to a Member who addressed them for the first time, said, the hon. Member for Dungarvan (Mr. Maguire), in a speech of much power and great moderation, had brought forward this much-vexed question of the relations between landlord and tenant in Ireland, and had made use of the argument, that inasmuch as the measure of 1860, which had been intended as a final settlement, was not successful, further legislation in 1863 was necessary. To his (Sir George Colthurst's) mind, the legislation of 1860 went far enough, and could go no further without interfering with the rights of property. The dealings between landlord and tenant ought to be based upon mutual good feeling and reciprocal interest. Irish landlords ought not to be dealt with in a different manner from English landlords, nor ought a third party to be brought in to dictate how the Irish landlord and his tenant were to go on. He had lived for many years in the county with which the hon. Member for Dungarvan was also well acquainted, and he did not think that there existed in that county that feeling of distrust and dissatisfaction which the hon. Gentleman had alleged. On the contrary, the tenants there were all satisfied that their landlords would deal with them with justice and liberality, and when bad times came, as unfortunately was the case for the last three or four years, that their landlords would act towards them in a kindly spirit. If the Motion of the hon. Gentleman were for the perpetuation of small holdings, he could understand it. But the fact was, small holdings had been no benefit to the country, and their occupiers would have been far better employed as labourers than in trying to live upon a farm which neither time, capital, nor energy could improve. No one could deplore more than he did that the tide of emigration was flowing so fast from the shores of Ireland, but it was small farmers chiefly that were leaving; and why? Because they found that upon those small holdings they could not possibly subsist in bad times. The hon. Member stated that these small tenants had a great deal of money in bank, and that if they were encouraged by legislation, they would take it out and apply it to the improvement of their holdings. [Mr. MAGUIRE: I said the tenants. I did not specify any precise class.] But the hon. Member for Clonmel (Mr. Bagwell) said the tenants in his part of the country were so badly off they would not keep the land if they got it for nothing. He did not think these two statements consistent with one another. He trusted the House would not assent to the Motion, as its effect would be to do a great deal of mischief, by exciting hopes which could never be realized.

SIR ROBERT PEEL: My hon. and learned Friend the Member for Sheffield (Mr. Roebuck) said that this subject had no novelty, that sixty years had been employed in questions of this nature, and he urged me to add to the honour of the name

I bear, by attempting to settle this. This is a matter of considerable difficulty. I am bound to say that I was under the impression that the legislation of 1860 was considered by all parties as calculated to promote the welfare of Ireland. It is perfectly true that the measure has proved inoperative; but undoubtedly at the time it was produced it was thought by those who took part in its discussion, and by my right hon. Friend (Mr. Cardwell), calculated to be of some service to the country. With reference to this debate, I am ready to admit, as many hon. Members have done, that the hon Gentleman who opened the debate treated the subject with considerable ability, and with that frankness and honesty of purpose which are always sure to engage the attention, if not the sympathy, of the House; but, at the same time, I concur with the hon. and learned Member for Sheffield that he gave us no specific reasons for adopting the Motion which he has submitted. He said that the question was one of the greatest magnitude, that it was not one which affected foreign nations, but was intimately connected with the well-being and power of this country. Sir, it is truly a question of that character; and when the hon. Gentleman said that all of us take an interest in the welfare of Ireland, he said what was true of all, and of none more than myself. But when the hon. Gentleman stated that while some attributed the present distressed condition of Ireland to the existence of the Irish Church, and some to the union, he attributed it to the position of the land question, I am bound respectfully to dissent from his conclusion; because he raised an issue which he was unable to prove, and because he failed to advance a single argument which should induce Parliament to disturb—for it would have the effect of disturbing—the existing relations between the owner and the occupier of the land. Now, I readily admit that it is of the greatest advantage that we should obtain the best information with regard to the condition of the agricultural classes in Ireland. We should recollect that the weight which they bring to the national balance is such that too much attention cannot be given to anything that may tend to encourage the application of capital, skill, industry, and enterprise to the cultivation of the soil, and to improve the relations between landlord and tenant. But will the Motion of the hon. Gentleman attain that end? I very much question whether the hon. Gentleman, who complains of the existing legislation, will succeed in his attempt to better the arrangements between landlord and tenant, or that he will gain his point by inducing the House to assent to the Motion. He wants Her Majesty's Government to issue a Royal Commission—"to inquire into and report upon the state of the agricultural classes in Ireland, and to suggest such improvement in the relations between landlord and tenant as may seem necessary and expedient." And the hon. Gentleman, in support of his Motion, has laid upon the table thirty-five Petitions, signed, he says, by 15,000 inhabitants of the county of Cork, who are all impressed with the necessity of the measure. But it is a remarkable fact that the first speech from the hon. Baronet the Member for Kinsale (Sir G. Colthurst), coming as he does from that county, and the owner of considerable property in it, should entirely refute the argument of the hon. Gentleman, and should declare that as regards the relations between landlord and tenant in the county of Cork they are in a satisfactory condition. That is a remarkable difference of opinion between two hon. Gentlemen, the one of considerable position in this House, and the other in his own county. But these Petitions are not exactly such as I should have wished to see in order to induce this House, consisting for the most part of men who are landed proprietors, and therefore interested in the question, to attach weight to the Motion of the hon. Gentleman. No doubt persons of the highest position are among those who signed the Petitions. The hon. Gentleman informed us that it was signed by two Roman Catholic bishops in the county of Cork, and by all the Catholic clergy of the county also. I do not doubt they have opportunities of knowing what the state of that country is, and that many of them have been actively engaged in the works of charity among the poor: but surely they are not exactly the persons we should like to see coming to this House and asking for the interference of the Legislature between landlord and tenant. Why do not the landlords themselves come forward? I should like to know what would be the feeling exhibited in the county with which I am connected if the Bishop of Lichfield and his clergy came forward and asked the State to interfere between such relations. Would they not be told that they had better attend to their spiritual duties, and leave the relations of landlord and tenant in the county of Stafford to those who know much better than they could possibly do that in which their own interests were intimately wrapped up? One of these Petitions were presented in March 1863, by the Member for Meath, and that Petition, after laying before the House the distressed state of Ireland, went on in these words—

> "That while Ireland possesses every advantage of climate and soil calculated to constitute her a happy and prosperous nation; that while her people are industrious and frugal, the present system of land tenure giving no security to tenants for the value created in their holdings by labour, risk, skill, and capital, has locked up every source of industry, has produced progressive and rapid decay, has lessened the population in this county by 51,000 in less than twenty years, and exhibits us to the world as the most miserable and wretched of the nations of the earth—our labourers without work, our artisans without occupation, and our shopkeepers and traders without customers. That being convinced that all these evils mainly arise from the present system of land tenure, we pray your hon. House to take the matter into your immediate consideration, and pass a law which will encourage tenant industry, develop the resources of the land, and save the nation from ruin."

I maintain that is not at all the case. I agree there is a vast amount of distress in Ireland, and that the present system of land tenure is not what it might be; but to say that Ireland exhibits to the world a picture of the most wretched nation on the face of the earth is surely not correct. I can conceive nothing more disheartening to a people struggling under three successive inclement seasons than to be constantly told that they are growing in misery, that they are going to be utterly ruined, and cannot possibly be saved. The proper way to deal with a people suffering under the dispensations of Providence is to endeavour to instil some spirit into them by telling them that they may not have another affliction, and that prosperity will return, calling upon them to show an energy and perseverance that would enable them to cope with the difficulties of their position. I admit to the hon. Gentleman that there is no more important subject to deal with than that affecting the relations of landlord and tenant. With reference to this question, I have taken some trouble to inquire into what the Roman and the Continental law says on the subject, and, if the House will allow me, I will briefly state the results. The Roman law contemplated as a fact the almost universal existence of a specific convention between the landlord and tenant; and if the tenant made valuable improvements which increased the revenue of the farm, he was entitled to compensation. The right of eviction existed, but there accrued to the tenant a right of action against the landlord if the former did not obtain the stipulated use and enjoyment of the land. From a general review of the Roman law and of the Continental law may be deduced the following leading principles upon the subject of the rights and obligations of landlord and tenant. I do not allude to England. Now, the law, as regards England, was amended by 14 & 15 *Vict.*, c. 25. Up to that time the right of the agricultural tenant, with respect to fixtures erected for purposes of husbandry, was not considered in the same light as the right of a tenant in regard to fixtures put up for purposes of trade or manufacture, which are now removable, unless the landlord elects to take them. The leading principles I deduce from the Roman and the Continental law are:—1. As a general rule the tenant is entitled to compensation for substantial improvements *bonâ fide* effected by him on the landlord's estate. 2. That he may remove at the expiration of his lease improvements which the landlord declines to purchase, provided he leaves the estate in as good a condition as before the removal. 3. The value of the improvements by tenant is never to be estimated at a larger amount than the actual outlay itself. 4. That the tenant forfeits his title to compensation by omitting to pay his rent; and that whatever might happen the landlord was entitled to his rent. But, in Ireland, I will admit to the hon. Gentleman, the case has been different. There have been frequent attempts at legislation on this subject. We all recollect some time ago two notable instances of legislation on the subject—one by Mr. Serjeant Shee and the other by Mr. Napier, when Attorney General to Lord Derby's Government. Serjeant Shee's Bill was very different from that of Mr. Napier's. They both professed to promote an improved system of agriculture by securing compensation to the immediate authors of improvements. If Serjeant Shee's Bill had gone no further than that, I should have given it my support, because I think the tenant entitled to fair compensation for the permanent improvements he makes on the estate which he holds from the landlord, provided the application of that outlay is not expended at the termination of his lease. But the provisions of Mr. Serjeant Shee's Bill were objectionable, because revolutionary. What did he propose? To give the right of continued occupation of land to a tenant subject to the payment of rent:—so that a tenant simply by retaining adverse possession for a certain number of years against the landlord would in the course of time gain a proprietorship, and the land itself would gradually be transferred from the proprietor to the lessee. No one could agree to that. No Landlord, and very few respectable tenants, could agree to that He gave compensation, which in principle transferred the property in the soil itself from the proprietor to the lessee. Such were the provisions of Mr. Serjeant Shee's Bill. It was rejected, and never could become law in the Parliament of this country. What was the Bill of Mr. Napier? As far as its provisions relative to improvement were concerned, there was no objection to them; but there was such complicated machinery for carrying out its provisions that it was felt it could not work. We have, then, of recent date, two attempts at legislation, both of which have failed to meet the approval of Parliament. My right hon. Friend the present Chancellor of the Duchy (Mr. Cardwell), after much and earnest consideration with the Government of the day, introduced a Bill to which I shall presently allude, which, according to the hon Gentleman the Member for Dungarvan, held out a miserable inducement to the tenant. That was the only attempt at successful legislation for many years. Now, what are the grounds of complaint? The hon. Member for Dungarvan, in a most temperate and frank manner, stated his views to the House. He opened the debate in a manner it was almost pleasing to listen to, so characterized was it both by ability and fairness. But what are the alleged grounds of complaint in Ireland? I have, looking to the different Petitions addressed to the House, taken care that my statement shall be correct. It is said that the tenant is not secured in the value of his improvements arising out of his skill and capital, that want of security prevents the improvements in which he would otherwise embark, and defeats the enterprise of the tenant. The hon. Gentleman alluded, in the course of his remarks, to the sales that had taken place in the Encumbered Estates Court. The rents, he said, were screwed up; three times the value was demanded, and in one instance he said the landlord had asked his tenants whether they would have their rents increased to £3 per acre. The hon. Member almost held that gentleman up as the representative of the general practice. ["No, no!"] I understood the hon. Member to say that this landlord asked his tenants whether they would pay £3 per acre for land, that being an increase on what they previously paid. [Mr. MAGUIRE: No, no!] I should be sorry to misstate anything, and I have no desire to say one word calculated to misrepresent what has fallen from the hon. Member. I understood him as holding that landlord up as forcing his views on his tenants, and he said that the merchants and traders who came to Ireland were infinitely worse. [Mr. MAGUIRE: No, no!] Another position maintained by the hon. Member was, that the present relations between landlord and tenant check industry, and retard the development of the material prosperity of the country. The hon. Gentleman drew a comparison between the English tenant and the Irish tenant, and said most truly that the Irish tenant entered on his holding in a position far more disadvantageous than the English tenant; because the latter, finding his farm in order, at once commenced reproductive labour, while the Irish tenant, immediately he enters on his farm, has to expend a large amount of capital which is not reproductive. We all know that many ways have been suggested of settling this question. Some have proposed the arbitrary measure of making the landlord give the tenant the fee-simple of the land ["No!"]; and others have recommended that public works should be undertaken, on the ground that the expenditure of the public money would relieve the tenant from the distress under which he labours. I think, however, that the House of Commons has universally condemned the attempt to give relief by such plans, and I should be sorry to see them re-introduced into this House for consideration. There have been meetings in several parts of Ireland of a recent date on this subject, not only in the county of Cork, but in the county of Meath. Recently, an agitation was got up at Mullingar; but it is not right to discuss this matter in the violent way in which some persons in Ireland handle it—for the very violence of the language employed is calculated to delay the beneficial operation of the measure I have before referred to. For instance, in Mayo, nothing could exceed the violence of the language made use of. In December, I recollect seeing an announcement of what was called a "No Rent" movement. Now, nothing could be more injurious than to induce tenants to believe that by joining in such movements they could succeed in getting rid of rent. The meeting at Mullingar, in Westmeath, was a remarkable one. All the Catholic clergy attended; but the landlords of the neighbourhood, when circulars were addressed to them, absolutely declined to take part in the proceedings. Lord Castlemaine wrote the following letter:—

> "I am in receipt of your communication of the 12th inst., and in reply beg to state that I must decline signing the enclosure, as I think the meeting in question can be productive of no good, is only calculated to promote an agitation at variance with the true interests of the people, and to divert their thoughts from that individual industry which can alone lead to the prosperity of a country."

That is the proper way to meet an agitation got up as that was. If Lord Castlemaine had given his concurrence to the proceedings, one might have supposed that there was something serious in the matter; but when the landed proprietors decline to take part in the agitation, we may well believe that the circumstances of the case are not so serious as some persons would lead us to apprehend. The hon. Gentleman referred to the Act 23 & 24 *Vict.*, c. 153, which he said held out a miserable inducement to tenants. Now, I can see nothing of that kind in that measure. The Act is divided into four parts, the first relating to landlords' improvements, the second to leasing powers, the third to tenants' improvements, and the fourth to general provisions. By certain clauses in that Act the tenant, if he chooses to lay out money in improvements on his land, is entitled to what I consider a most fair compensation if he is turned out. He gives notice to the owner or his agent of all the money he has spent, and he is allowed by the landlord an annuity of £7 *2s* for every £100 for a term of twenty-five years. It is perfectly true that the Act has been inoperative; but the House should recollect that vast sums of money have been spent for the improvement of land in Ireland. Under the 10 *Vict.*, c. 32, advances have been made for the improvement of land in Ireland to the amount of £362,000; and a Return has been laid on the table of the House showing that a vast amount of money—£3,548,403,—has been spent in Ireland on improvements, of which £2,075,893 were for arterial drainage, within the brief period of thirty years. I think that clearly proves, that while Parliament has declined to deal with the present question in the manner desired by the hon. Member for Dungarvan, it has not been indifferent to the condition of the occupiers and owners of land in Ireland, or unwilling to advance the interests of the country. The hon. Gentleman said that nothing has been done on the Report of the Devon Commission, but he made no mention of the vast improvement which has taken place since that Commission reported. There could be no more notable proof of this than that which is afforded by a Return in respect to the holdings in Ireland. It is a great misfortune for a country to have an enormous number of small holdings, each consisting of a trifling parcel of land, which entitles the occupier, as he thinks, to the character of a tenant farmer, whereas he would be in a far better condition as a farm labourer; and the changes which have taken place in respect to the occupation of land since 1841 are most remarkable. In the number of holdings from one to five acres there has been, between the years 1841 and 1861, a decrease of 224,967, being at the rate of 72 per cent; while, on the other hand, in the holdings of land above 30 acres there has been an increase, between the years 1841 and 1861, of 109,208. In 1841 there were 48,625 holdings above 30 acres, and in 1861 the number had increased to 157,833. I think that these Returns show the immense improvement which has taken place in the tenure of land in Ireland, and which must tend to benefit the agricultural classes and promote the general prosperity of the country. The hon. Gentleman went into the question of emigration; but as that subject was fully entered into last week, I will not trespass on the attention of the House by following the hon. Gentleman upon that point. There can be no doubt there has been a vast diminution of the population by means of emigration, which still continues to a great amount; but I am not one who regards that diminution of the population with unmixed regret. I believe that the persons who leave Ireland for the Colonies, or America, acquire there for themselves a position which they would never have obtained in their own country, owing to its enormous over-population, and have been able, in a period of twelve years, to send a vast amount of money to Ireland. For these reasons, I do not think the Government would be acting fairly towards owners and occupiers if they acceded to the Motion of the hon. Member. I believe that these repeated discussions are not calculated to do good to those whose interests the hon. Gentleman unquestionably has at heart. The debate the other night most conclusively showed, that taking the population per head, the Irish are more leniently treated in regard to taxation than the rest of the Empire. Well might the hon. Member for Galway exclaim—

> "O fortunatos nimium, sua si bona nôrint,
> Agricolas."

The fact is, that such a discussion might tend to induce a Chancellor of the Exchequer to consider whether he could not do away with exceptional taxation in favour of Ireland, and place the people of both countries on the same footing. In my opinion, the course which the hon. Gentleman has taken is not calculated to promote just and legitimate relations between landlord and tenant, on which the security, strength, and wealth of the country mainly depends. He has said truly that we are all interested in Ireland. Her enterprise and industry form the broad basis of national prosperity. In Ireland, it is well known that the agricultural class is of paramount importance; and although, in the name of the Government and on public grounds, I feel bound to resist the Motion of the hon. Gentleman, I will not yield to any one in my earnest desire to further, by wise legislation, whatever may tend to benefit that interest and to give free scope to the material prosperity of the people of Ireland.

THE O'DONOGHUE said, the Resolution before the House contained two propositions so true, so simple, and so moderate that the House must of necessity stultify itself if it refused to vote an Address to the Crown. The assertion in the first proposition, that the legislation of 1860, which professedly had for its object the improvement of the condition of the occupiers of land in Ireland, had been a failure, was abundantly supported by official Returns and by the observation of all who had any connection with or any knowledge of Ireland. The second proposition declared, though not exactly in these words, that it was the duty of Parliament to take measures to develop the resources of Ireland and guard the just rights of the people, and thereby to secure their happiness and contentment. The Government admitted the propriety of legislation on this subject when, in 1860, they undertook to bring in a Bill dealing with the relation of landlord and tenant, and so did Parliament when they assented to the proposal of the Government. Therefore, when it had been shown that the measure then passed was inoperative, it was clear that Parliament stood in exactly the same position as they did three years ago in regard to this question, and that they had their work to do over again. Government ought to erase the abortive Act from the statute-book, and set about procuring information which would render any future legislation something more than a means of wasting time and raising groundless hopes among the Irish people. If, however, the Government refused to do anything, then he was justified in attributing to them either indifference to the distress and sufferings of Ireland, or incompetency to discharge the functions intrusted to them. There were many who believed that a Government not assisted by an exclusively Irish Parliament could not administer the affairs of that country successfully. It was also thought that the Government, not being Irishmen, did not feel that natural love for the Irish people which would of itself prompt wise and beneficent legislation. That inference was drawn from the fact that they had never applied any real remedies to the evils which they affected to deplore. The Government had done nothing to check the tide of emigration which threatened to leave Ireland pulseless; and it was even conjectured by some that this was owing to a desire to see the population reduced as low as possible. There were a few who deemed the Government simply incompetent; but he could not admit the incompetency of those who had never really tried what they could accomplish. They might do much for Ireland if they would only carry out the wishes of the people; but they had hitherto disregarded those wishes, and only carried out their own views; and the result was, as described by the Attorney General for Ireland, that Ireland was in a miserable, an impoverished, and distressed condition. He asserted that the Government was responsible for the present depressed state of the country. The evils which afflicted Naples, Turkey, or Poland were always attributed to the defects of the Neapolitan, Turkish, or Russian Governments; but it was odd, that when mention was made of the distress of Ireland, it was denied that the Government was responsible for the effects of its own acts, and the whole blame was thrown upon Providence. He believed that the great majority of his countrymen would join him in laying the charge of the miseries which affected Ireland at the door of the British Government. Ireland had been invariably governed for the benefit of the landlord class. The landlords were allowed to do what they liked with the land, no matter what became of the occupiers. If a landlord took it into his head to evict a whole country-side, the Government provided him with an armed police, and with soldiers, if necessary, and all the instruments of the law, to enable him to carry out his wicked purpose. That had been done in innumerable instances. It had been done recently in Donegal, and there were few landlords in Ireland who might not, if they pleased, follow the example of Mr. Adair. The occupiers were treated as if they had no claim whatever on the land —as if they were sent into the world merely for the purpose of making, not simply rent, but as much rent as the landlord chose to exact. It was no less an authority than John Stuart Mill (who had already been quoted by the hon. Member for Dungarvan) who said that the land of every country belonged to the people of that country, and that the individuals called landowners had no right in morality or justice to anything but the rent or compensation for its salable value; and that when the inhabitants quitted their country *en masse*, because they felt that the Government would not make it a fit place for them to live in, the same Government was, *ipso facto*, tried and condemned. Justice required, he added, that the actual occupiers should be entitled to become in Ireland what they had become in America, the proprietors of the soil which they cultivated. The truth was, that under the existing system of Government the Irish people had no confidence, no feeling of security, and they would continue to fly from the country unless they saw some prospect of a better state of things. Their impoverished condition was an admitted fact, and the cause of it was to be found in the exorbitant rents which were extorted by the landlords, and in the circumstance that more than one-third of the whole rental was spent out of the country. The people had learnt, by long and sad experience, that their claim to live upon the land, and to enjoy a moderate share of happiness, would not be allowed to weigh for one moment against the claim of the landlord for his rent; consequently, they felt the uselessness of attempting to grapple with a power which had already overborne thousands of their brethren, and therefore sought to escape to other parts of the world, where the rights of humanity were permitted to take precedence of the claims of landlords. Owing to certain causes, the price of pork and butter had recently fallen considerably. Pork and butter were the two staples, the sale of which had enabled the small farmers to pay their rent. What was the result? The House had been told by the hon. Baronet the Member for Kinsale (Sir George Colthurst) in his first speech, that the small farmers must go—and why? Because they were unable to pay the exorbitant rent which they had hitherto been paying.

SIR GEORGE COLTHURST explained, that what he had said was, that if bad times continued, the small farmers must go, because it was impossible they could live upon small plots of land.

THE O'DONOGHUE: The hon. Baronet meant because they could not pay the exorbitant rent which had hitherto been extorted from them. [Sir GEORGE COLTHURST: No!] That, at all events, was the inference he drew from the statement of the hon. Gentleman. In his opinion, the natural way of redressing the grievance would be for the landlords to reduce their rents. Of course, however, that would not be thought of, because it would lead to a diminution in the incomes of the landlords. No account was taken of the income of the occupiers. Did it never occur to the Government, when they saw the people eating nothing but potatoes, drinking nothing but water, or occasionally a little sour milk, and dwelling in wretched hovels, that having paid away their last farthing in the shape of rent, they were necessarily unable to provide themselves with the ordinary comforts of life? Food was cheap, clothing was not necessarily dear, and yet multitudes of the Irish people were half starved and clad in rags, because all their money had gone to satisfy the demands of their landlords. The Government had been truly described as a complicated machine for the collection of rent. The land of Ireland was in a state of stagnation. How long was that condition of things to continue? He felt certain, that if that House were under the control of the Irish people, the law of landlord and tenant would be totally changed in six months. Mr. Caulfield Heron said, "Emancipate the land; give the tenant security for his improvements." In addition to that he said, "Give the tenant security of tenure, and give him also security that the landlord will not compel him to pay too great a rent." He was sorry, although he confessed it did not take him much by surprise, to hear it announced that the Government did not intend to assent to the Motion of his hon. Friend. He was convinced that Ireland was at present beaten in the struggle for existence; that her system of land tenure was at the root of her evils; and that, until something was done towards placing the law of landlord and tenant on a sound footing, her people would have very little confidence in the British Government or the British Parliament, but would think it their best policy to leave the country as fast as they could.

Mr. O'REILLY wished to make a few remarks in answer to the speech of the Chief Secretary. That right hon. Gentleman said he should oppose the Motion, because its tendency was to confiscate the rights of a class. [Sir Robert Peel dissented.] He would, of course, bow to the right hon. Baronet's correction, although he had taken down his words at the time, and did not think there could be any mistake in the matter. Nevertheless, as the right hon. Baronet now denied having used them, he was bound to accept that denial. The Motion was one for inquiry; and how a Motion for inquiry could be justly designated as hostile to the rights of any class, it was difficult to conceive. The right hon Gentleman next observed, that if the Irish tenants were as industrious in Ireland as they were in America and other countries, they would naturally be as prosperous. From that, however, he drew a conclusion precisely the opposite of the right hon. Baronet's. The man himself did not change by merely changing the sky over his head, as the old Latin poet said; but there must be something in the circumstances of his country when he was unable to render his industry as available at home as it would be in a foreign land. But in what had fallen from the Chief Secretary there was much that was valuable and worthy of being well noted by the people of Ireland. The right hon. Gentleman informed them that he had long and carefully studied Roman law and the law of France, of Prussia, and almost every European country, and he had found that in all those States, as a general rule, the tenant was entitled—1st, to compensation for any solid improvements which he made on the property of his landlord; 2nd, that he was entitled to remove those improvements at the expiration of his term if they were unpaid for; 3rd, that the value claimed for improvements should never exceed the original outlay upon them; and 4th, that any claim for improvements should be forfeited if the tenant did not pay his rent. These were the four conclusions which the Chief Secretary had drawn from his study of the legislation of Europe; and all he could say was, that the people of Ireland would be perfectly contented if the right hon. Gentleman would embody the four principles which he had so lucidly stated in a measure for the benefit of that country. The Chief Secretary having admitted that the tenant was fully entitled to compensation for his improvements, it was to be hoped that he would introduce a Bill to secure it for him. A case mentioned by the hon. Member for Dungarvan appeared to have been misunderstood. That hon. Member stated the case of a property purchased by two gentlemen in the Encumbered Estates Court. The one purchaser inquired of the tenants what rent they paid. They replied £3 an acre. He then asked whether they were content with that, and they answered "Yes." He further asked them, "Would you accept leases?" They said, "Yes, thankfully." And the conduct of that landlord met with the highest approval from the hon. Member for Dungarvan. But another gentleman, who purchased the other half of the property, and paid twenty years' purchase for it, afterwards went to the tenants and insisted on their paying £10 an acre, a considerable portion (about a third or a half) of the purchase-money, without giving them any leases; and the conduct of that landlord received the reprobation of the hon. Member for Dungarvan, as he believed it would receive the reprobation of the House. Economic science taught that it was impossible for legislation permanently to fix the price of any article at a lower rate than it would bring by the natural action of free competition in the market. He therefore admitted that any attempt by legislation to fix the price for the use of land at a lower amount than it would fetch in the open market would necessarily fail. But another principle, equally recognised by economists, was this—that it was perfectly possible, by legislative action, to increase artificially the price of an article. All legislation tending to create monopoly, gave a factitiously-enhanced value to an article, although it could not bring its price lower than the natural standard. An extravagant price could not be permanently given for an article by a solvent purchase; but if the law stepped in and gave the seller of one particular article an advantage over the seller of every other article, in respect to the recovery of his debts, enabling him to receive the full satisfaction of his claim before any other creditor could obtain a farthing, then he said the law artificially enhanced the price of that particular article. They all knew that was the case with regard to land, and that rent had a priority over every other debt of the tenant. The law of distraint conferred an additional advantage on the landlord, for it gave him a power not only over the property of his debtor, but over the property of any other person if it was on the land. The state of the law in Ireland at present was such as to produce an artificially high price for land. In England the proprietors were, for the most part, wealthy, and had not the same inducements to demand an enhanced price for their land; and there were other laws, which, although in a less degree, operated in the same direction, such, for example, as those which prescribed that certain taxes should be paid in the first instance by the occupying tenant.

MR. CARDWELL: Sir, I am happy to bear my cordial testimony to the temperate manner in which the subject under discussion has been introduced to our notice by the hon. Member for Dungarvan. I must, however, say that I cannot help concurring in the remark made by the hon. and learned Member for Sheffield (Mr. Roebuck) to the effect that the hon. Gentleman submitted no practical suggestion nor indicated any measure in the direction to which his Motion tends. He has, indeed, been for many years an honourable and consistent supporter of what is called tenant-right; but there can, I think, be no doubt that the measures which have been advocated on that point—tenant-right, fixity of tenure, or whatever it may be called—amount in many instances to a violation of the settled rights of property,—a transfer of the property in land from him whom the law now recognises as the owner to the occupier, upon conditions which would make the landlord little more than an annuitant upon his own estate. If, indeed, the hon. Member for Tipperary (The O'Donoghue) is to be taken as the opponent of the school who advocate those views, the landlord is not to be an annuitant on his property for any fixed or steady amount, but for a precarious amount, fluctuating with the exingencies of the occupier; and the Government of this country is to be classed with those of Russia or Turkey, because it maintains the law by which the rights of the landlord are now protected in Ireland. Now, I think it is the duty of the House, in dealing with this question, not to forget what took place in 1860. No doubt one proposition then before the House was that the law should be altered in the sense to which he had adverted. To that proposition the Government gave a very intelligible and respectful refusal. They said they could not be parties to an arrangement of that kind, and that if a proposal were made to give retrospective compensation for improvements which a tenant had already effected without an agreement with his landlord, they would decline to accede to it. They further said, that if it was intended in future to take from the landlord the controlling power over his property, and settle without his consent the amount and extent of the improvement for which the landlord should become chargeable, they would decline to agree to such a proposition. There were, however, much more legitimate demands made upon the Government in 1860—they were asked to look upon the beneficial operation of what was called the Montgomery Act in Scotland, as well to the effect of the laws in force in this country, which were not yet in operation in Ireland. Having taken into their consideration the leasing powers conferred by the Settled Estates Act of 1856, the Government by the Act of 1860, applied exclusively to Ireland, extended the powers of charging the reversion for improvements effected by the life-tenant, and great additional facilities were afforded to limited owners to grant agricultural leases. One further provision was made to meet a want which was stated to be the peculiar want of Ireland. It was stated that in Ireland improvement is effected by the tenant, not, as in England and in Scotland, by the landlord. Accordingly, a third provision was made, by which—in addition to the power of charging the reversion for improvements if effected by the landlord, and to the power of giving improvement leases to improving tenants—the tenant-at-will might agree with the limited owner and charge the reversion for improvements effected by the capital or labour of the tenant. No one has suggested a single proposition which was omitted to be taken into consideration in that year which was consistent with the rights of property. Is it intended now to propose anything which is inconsistent with the rights of property, and which will transfer the whole or any part of the land of Ireland from those who are to those who are not entitled to it? The hon. Member for Dungarvan has told us of all the circumstances which show a decline in agricultural prosperity during the last three years. I do not know what conclusion he draws from these premisses; but do they not afford a solution of the fact that no capital is forthcoming for the improvement of the land? There are documents which show that the loss of the tenant farmers in Ireland during the last three years had been equal to two years' rental of the whole of Ireland. Are those the years when the spirit of improvement can be active? In 1845 an Act was passed to enable landlords in Ireland to apply to the Court of Chancery to authorize expenditure on improvements, and from that time to the present not a single application has been made. If ever there was a time when there would naturally be a lack of activity in the application of capital to the improvement of land in Ireland, it must be such a period of unprecedented distress as that through which Ireland has unfortunately lately passed. The hon. Member for Dungarvan closed his able speech by a spirited renunciation of any desire to receive aid from this country, and declared his desire to be that we should remove the fetters from Ireland and set free her industry. The answer to that appeal is plain. The people of Ireland have in their power the same statutory provisions which have been turned to so large account in Scotland, and contributed so much to the improvement of that country. They have in a cheaper form, through the Landed Estates Court, all the powers which the Lands Improvement Act confer upon the landed proprietors of this country. They have by statute larger leasing powers than are enjoyed in this part of the kingdom. They have a special arrangement to meet the special want of Ireland—namely, improvement to be effected by the capital or labour of the tenant; and we call on them in Ireland to do what we have done in England and Scotland, not to allow these statutes to lay idle in the statute book, but to give them vitality by calling them into action. I cordially agree that the interests of landlord and tenant are identical, and I believe that both must look to a sound and wholesome state of the law, which shall be applicable to both. The question now before us is the appointment of a Commission. There can be no doubt that, if appointed, all those heartburnings and jealousies which made their appearance on every hustings, and tended to check improvement, would be immediately and promptly revived. And, let me ask the hon. Member for Dungarvan, to what end? Can he believe that any measure touching the rights of property would ever receive the sanction of this and the other House of Parliament? Can it, then, be useful to stimulate hopes which you cannot gratify, and expectations which you know must be disappointed? Let any one who sees an improvement can be made in the law communicate with my right hon. Friend, or introduce a Bill into this House. I am quite sure it will receive the most respectful attention. I do not believe that Parliament will ever sanction a measure which touches the rights of property; and as I am sure inquiry will lead to vain and delusive hopes, I trust the Motion will not receive the sanction of the House.

MR. SCULLY complained, that the right hon. Gentleman the late Chief Secretary had misled the House, by treating the question as one of tenant-right or fixity of tenure, instead of what it really was, tenants' compensation. The Government had resisted fixity of tenure, and would, no doubt, resist it, although it had been carried into law in Prussia and other countries; but that was a proposition which had never been seriously contended for in that House. The late Lord Chancellor of Ireland (Mr. Napier) had framed a retrospective clause, but it was one which would be applicable only in very remote contingencies, and, as far as he could judge, was not objectionable. As to the Act of 1860, he had denounced it at the time as a bread pill, and the right hon. Gentleman wanted them to continue the use of that innocuous medicine. The proposal of the hon. Member for Dungarvan was exceedingly harmless, and even that he seemed ready to yield, if the Chief Secretary for Ireland would only promise to take the subject into his consideration with a view to legislation. But the right hon. Baronet would do nothing of the sort; he did not think the subject even worth consideration. He himself advocated this measure in the interest of the landlord. He disagreed entirely with the hon. Member for Tipperary (The O'Donoghue), in treating the matter as if the landlord and tenant had entirely antagonistic interests. He treated the matter as one entirely of justice, and for no consideration of popularity would he consent to treat it in any other way. In Mr. Napier's Bill of 1852 there was a moderate retrospective clause; but that Bill, though it passed the Commons, did not succeed in the Lords, on account, as it was said, of the late period of the Session at which it was brought up. Next year, Mr. Phillimore induced the House of Commons to reject the retrospective clause, and the Bill was then abandoned. If he were asked to suggest what should be done, he would say, re-introduce that Bill, even without the retrospective clause. It would be better than the useless Bill passed by the right hon. Member for Oxford (Mr. Cardwell). It was by no means difficult to legislate justly, if the House would only apply itself seriously to the subject. The Irish landlords were not consulting their own interests in not advocating fair legislation in favour of their tenants; but he hoped the right hon. Baronet the Chief Secretary for Ireland would follow the example set him by his illustrious father, in the bringing-in of liberal measures, when he came to that period of life when he could exercise a sound judgment.

Mr. PACKE said, he had for many years been in the habit of employing forty or fifty Irish labourers on his property, and his experience led him to believe that there was not a more orderly, more industrious, or a more provident race than the Irish labourers who came over to this country. He felt it his duty to bear that testimony to the excellent character of those men.

Mr. HENNESSY said, that all the Irish Members who had spoken on that debate, with but one exception, supported the Motion of his hon. Friend; and every Irish Member who had spoken, without exception, bore testimony to the decline of Irish prosperity; but the two English Members who had spoken from the Treasury bench, not only opposed his Motion, but differed from him as to the decline of that prosperity. From the right hon. Baronet the Chief Secretary they had heard a repetition of the statement so often made by him of the vast improvement in the state of Ireland. But he submitted to the House that Irish Members ought to be better acquainted with the condition of the country than the right hon. Baronet and the right hon. Gentleman the Chancellor of the Duchy of Lancaster. The latter was an accomplished gentleman; but he had gone to Ireland and failed. ["No!"] He had brought in a Tenant Bill, and it had failed. The right hon. Gentleman himself had ventured to prophesy that every tenant farmer would take advantage of his Bill; but not a single tenant farmer had done so. They had in Ireland a Government who were not acquainted with the wants and wishes of the country. There were in Ireland a number of antediluvian Whigs, who impiously pointed to Providence when persons talked of a decline in the prosperity of the country. It was no wonder, that under such an administration Ireland was unable to contend with the difficulties that surrounded her. The right hon. Baronet the Chief Secretary, when speaking of the decrease of the population, said it was not with unmixed sorrow he viewed that decrease. He believed that feeling was shared in by the right hon. Baronet's Colleagues, and the language he had used was a delicate Parliamentary way of conveying to the House that the Government felt some little satisfaction at the circumstance. The Government which made such a declaration to a free assembly like the House of Commons ought not, as they did not, receive the confidence of the people of Ireland, and were not worthy of the support of Parliament. The right hon. Gentleman the Chancellor of the Duchy had misunderstood a portion of the speech of his hon Friend the Member for Tipperary (The O'Donoghue), who had said that when the attention of the rulers of this country was called to the complaints of the people of other countries, they blamed the Governments of those countries; but when their attention was directed to the condition of the people of Ireland, they attributed it to Providence. The Motion of his hon. Friend was a fair and temperate one. It was recommended by all the Irish Members: no good reasons had been given why it should not be adopted, and he should give it his cordial support.

Mr. M. DUNNE thought it was a matter greatly to be deplored that in considering these questions they always looked upon it as a matter concerning tenants only. There was no doubt that the tenant had a right to the first advantages; but the landlord should also have his share. There was also a third party concerned, and that was the nation generally, as the nation would gain from a just arrangement between landlord and tenant; but no arrangement could be come to without difficulty, and there was no doubt that if Government should take the matter into its own hands, they would succeed in making some equitable arrangement. Unless some support was afforded by Government, Ireland would never be able to compete with foreign nations in agricultural products, and it would ever remain, as it was now called "a green isle."

Mr. BLAKE: Before entering on the few topics on which he intended to touch at that lengthened period of the debate, and late hour of the night, he felt anxious to express his regret that the hon. Member for the King's County (Mr. Hennessy) should have spoken in such unjust terms of the Chancellor of the Duchy of Lancaster as to characterize his administration in Ireland as a succession of failures. The right hon. Gentleman had, to say the least, done quite as much as any Chief Secretary who preceded him for many years, so far as he could recollect. He had introduced some good measures, which it was not his fault did not pass; and the Poor Law Amendment Bill, containing many useful clauses, was brought in by him, and became law soon after he left office. He (Mr. Blake) was in opposition to the Government of the right hon. Gentleman the whole time he was in office; but frequently had occasion to communicate personally with him on Irish affairs, and had always found him able, honest, and apparently anxious to do his best to advance the interests of Ireland. The land Bill he had proposed was a very inoperative one, and it was to be regretted his name was not associated with a measure calculated to do more good to the Irish farmer. The Chancellor of the Duchy, as well as the Chief Secretary for Ireland had objected, in the course of the present debate, that the hon. Member for Dungarvan and others who had spoken had not stated in explicit terms what they wanted for the Irish tenant. He thought it had been made pretty clear on many occasions—that what the advocates of the tenant required was, that the cultivator of the soil not protected by lease, should, if dispossessed, receive a fair compensation to the extent that he had improved the letting nature of the land. Now, that was the whole gist of the question, and nothing could be conceived more advantageous to the landlord, as well as the tenant. The Chief Secretary had stated, that even if the hon. Member for Dungarvan carried his Motion, it would not do much towards enabling him to accomplish his real object; and in that he fully concurred with the right hon. Baronet, as he believed if the Commission corroborated every word that had been said that night on behalf of the tenant farmers of Ireland, the latter would be just as far off as ever from any real prospect of relief. In proof of this, he need only cite the Devon Commission—what useful results had followed from it to the unfortunate farmers of Ireland, although it pointed out in forcible and feeling terms the deplorable state they were in, and the necessity of something being done to ameliorate their condition? No, under existing circumstances, there was no hope to benefit Ireland through the instrumentality of the House of Commons; and his hon. Friends the Members for Dungarvan and Tipperary might have spared themselves the trouble of making their able and truthful statements about the condition of Ireland, as no detail of Irish suffering, no matter how affecting and well founded, would induce that House to deal out the justice asked for, merely to benefit the people of Ireland; and it was painful to be obliged to add that there were none who seconded the cruel and infatuated course the Government seemed resolved on pursuing in this vital matter more than the majority of Irish Members in the House. But if considerations for Irish interests could not move the Legislature to do what was right, motives of self-interest (the very strongest, generally, that can animate the human heart) should prompt England to adopt the step pointed out to arrest the further progress of Irish misery. He would ask them to do so as Imperial legislators, having only in view what was really for the advantage, honour, and safety of the great Empire whose affairs were intrusted to them. Previous speakers had shown the millions who had been obliged to leave Ireland to seek in foreign lands that reward for their industry denied them in their own. It was estimated that every person in Ireland on an average used three pounds worth per annum of British manufacture, and contributed one pound a year to taxation. Now, this four pounds per head was lost to England on every native of Ireland who went to America; and besides this, from the falling-off in the population, the land of Ireland did not produce so much as formerly, and England had to send gold to foreign countries for corn, of which, only for the depopulation of Ireland, a good part might be raised there, and the money retained and spent at home. But he would tell them more startling truths still. He knew they would not be well received; but he would not be doing his duty to his country, or to those who sent him to represent them, if he did not give expression to what he believed to be the fact. Owing to the unsatisfactory state of the relations between landlord and tenant in Ireland, and the hopelessness which the unfortunate people felt of obtaining any just measures to remedy the evils under which they groaned, there was not at that moment in any part of Europe, even including Poland, a greater feeling of disaffection towards a Government than generally existed throughout Ireland just now. [*Cries of* "No, no!"] Many of those who cried "No!" knew he was only telling the bare truth; but they wished to shut their eyes to it, and probably would do so until the disaster would be past remedying, and Ireland lost to England. A few nights before in that House an hon. Member had said that every emigrant who left Ireland carried in his heart a deep-seated feeling of resentment against England. The Chief Secretary for Ireland, in reply, uttered what, no doubt, the Treasury Bench considered a very smart saying, "that it was all the better for England that those of the Irish who entertained such sentiments should carry their disaffection elsewhere." The right hon. Baronet had made many blunders about Ireland since he came there, but that expression was the very greatest of all. He would ask the House to bear with him for a few minutes whilst he would endeavour to prove to the Chief Secretary, and to them, how woefully mistaken he was in supposing that it was for England's advantage that Irish disaffection should betake itself elsewhere. There was no argument that touched Englishmen more keenly than anything that affected their pockets or stomachs, and he expected he would be able to show them that both were then suffering by "Irish disaffection having betaken itself elsewhere." He need not tell them of the millions lost to the English manufacturers by one of their chief sources of supply for cotton having been closed against them, and one of their best markets for the sale of the manufactured article being also closed by the disastrous war which had been so long raging in the United States. It would be difficult for him to enumerate the thousands of artisans in the manufacturing districts who were rendered destitute from the same cause, and who were only kept alive by charity. Now, who was it who fought the battles of the Northern States? For the most part Irish, or the descendants of Irish, who showed themselves ready to shed the last drop of their blood for the country under whose protection and laws they had prospered, and there was no circumstance which contributed more to prolong the war which was proving so disastrous to England than the facility for obtaining Irish recruits; and when the Federal armies were thinned by disaster, what recruiting cry proved more potent than even the faintest hope held out of a war with England. Twice, that war-cry had been raised by the American Government, the last time hardly three months ago; and on each occasion thousands of Irishmen flocked to the standard under which they hoped to humble the power which showed itself so indifferent to their welfare. True, with gallantry and devotedness, equalled perhaps, but never excelled, the Irish regiments perished almost to the last man; but there were still enough of disaffected Irish left in America to prove, that should ever a rupture with England occur, how mistaken the Chief Secretary was in supposing she gained by Irish disaffection betaking itself elsewhere. Let them cross the frontier and enter Canada, and judge of the effect of a British Colony receiving its quota of Irish disaffection. The Home Government had lately made a great effort to induce the Canadian Parliament to raise a large militia force as a protection against an American invasion; but the Parliament, yielding to the pressure from without, could only be induced to Vote supplies for ten thousand men, a force utterly inadequate for the purpose intended. The Irish element in Canada was known to be a very large one, and there were good grounds for believing that it was largely composed of disaffected Irish, who successfully employed themselves to frustrate the objects of the Imperial Government to arm the population to resist an invasion from the United States. These two instances would suffice to show how unwise and unstatesmanlike was the idea of the Chief Secretary for Ireland as to the advantage of "Irish disaffection betaking itself elsewhere." But to return to Ireland itself—he could assure the House that the people were so thoroughly convinced that any change should be for the better, that if they were only afforded the opportunity of throwing off the yoke of England, the British Government could not hold their rule for a quarter of an hour. [*Loud cries of* "Oh, oh!" *and other signs of dissatisfaction.*] Hon. Members might cry "Oh, oh!" as much as they liked, but let the

British army from any cause be withdrawn in considerable number from Ireland, or a foreign force landed there, and there would be an almost universal rising in the country to annihilate the British power. If, one month before the Indian mutiny had broken out, a Member had risen in that House to tell them that there existed in Bengal and other parts of India a tenth part of the hatred for England that afterwards showed itself, he would be laughed at, as he (Mr. Blake) then was; but he solemnly and seriously warned the Government and the House, while there was yet time to avert the danger, that there did not exist in our Indian Empire at the period to which he alluded, or at the present moment in Poland, a stronger feeling of disaffection to the ruling power, or a more earnest desire to throw off the yoke of a Government than now prevailed amongst his countrymen. [*Interruption.*] He much regretted this, as he would much prefer, if England passed just laws, remedied grievances, and showed a real disposition to act right by the people, to live under her rule, and be united to so great an Empire by the bonds of amity and mutual interest. The Government and House now disregarded his warning and derided his statements. Let them take care, however: grave dangers lately menaced them, and should England be ever placed in a difficulty, and that the state of things in Ireland remained unredressed, his words would be remembered by the House, and regret felt, when perhaps it would be too late, that his advice was not followed. If the Government wished to keep Ireland, if the landlords desired to retain and obtain additional security for what they had, he implored of them to consider well before they went further in their fatal error of treating with indifference and contempt the appeals made to them on behalf of an industrious, well-disposed, but suffering people; and, as a commencement, grant the inquiry asked for by his hon. Friend, and adopt the remedial measures which might be suggested. By doing so landlords might rely that their properties would be enhanced, and their lives free from danger, and the Government would be certain to have allied to England by the strong ties of gratitude and mutual interest a prosperous and happy sister, no longer a reproach and a sharp thorn in her sides but a pride, a mainstay, and a source of strength.

VISCOUNT PALMERSTON: I quite concur with my right hon. Friends, who have done justice to the general tone of moderation which has prevailed among those who have supported the Motion of the hon. Member for Dungarvan. But I must complain of the injustice done us by the hon. Member for Tipperary (the O'Donoghue), who says that inasmuch as the world condemns the Government of the late King of Naples because his prisons were crowded with victims confined there without trial or condemnation, and inasmuch as the world condemns the conduct of the Russian Government which seized men and sent them arbitrarily to Siberia or to serve in the Russian armies, therefore the English Government must be equally condemned because it has pleased Providence to inflict three bad seasons upon Ireland. Now, I confess I think that is rather a hard and an unjust imputation. In fact, when hon. Gentlemen are pleased to say that the English Government is answerable for that distress which we all admit and deplore as at present existing in Ireland—if they take that view of the question, they ought also to give the credit to the English Government for that prosperity which, as everybody admitted, existed in Ireland before those bad seasons began. We all recollect, that until that period, persons who went to Ireland came back full of praises and admiration of the great progress and improvement which were taking place in that country. Statistics showed that up to that moment there had been great material improvement there; and if the English Government are blamed for the temporary distress, at all events, they ought to receive praise for the previous prosperity which existed—particularly as the distress is owing to causes utterly unconnected with, and independent of, the action of the Government; whereas, on the other hand, the progressive improvement may be justly attributed to the enlightened and just policy pursued by the Government with regard to that country. Now, what is the duty of the Government with regard to any part of the dominions of the Sovereign, and how can the Government increase and promote the prosperity of a country? Not by forcible legislation—not by interfering in the transactions of men. The object of a Government ought to be to remove obstacles, to give freedom to industry, to give security to life and property, to leave the buyer and seller, the hirer and letter, to settle their own bargains, unshackled by law and uninterfered with by the Executive. The

British Parliament has done all that it can properly do for the security of property in Ireland, and, generally speaking, property in Ireland is as secure as in any part of the kingdom. In spite of these unhappy agrarian outrages, life is more secure in Ireland than in any part of the kingdom, because it is well-known that crimes of violence are much less frequent in Ireland in proportion to the population than they are in England. If, therefore, a moral condition of a people is at all to be attributed to the action of a Government, I think the English Government may, on the whole, take pride in the moral and social condition of Ireland. But, apart from the influence of the bad season, whence arises the distress which is now complained of? Gentlemen point to emigration as indicating the misery of Ireland. Now, I remember the time when everybody said that the great cause of Irish distress was the over-population; and this was justly said, because the population was greater than either the capital of the country could employ, or than the soil could properly support in the condition in which they ought to be. What was the cause of that over-population? Did it spring from any action of the Government? It was chiefly owing to the system which had prevailed for a great length of time by which a large extent of land was let to individuals for the period of three lives or sixty-one years who did not mean to occupy it. These persons never went near the land. They took these leases for the purpose of sub-letting it; and the land was let and sub-let from one under-tenant to another until at last the unhappy occupier had no relation whatever with the owner of the soil, and was greatly tyrannized over by the middleman. This also was the cause of the great population: the subdivision of holdings went on in proportion to the increase of families; there was nothing to check it; and the consequence was that when these leases expired the grandson probably of the man who granted them found his land covered with a population which he had not brought there, which had no connection with him, and which was far more numerous than was necessary for any purposes of agriculture. Thus there was no sympathy between the owner and occupier, no relation existed between them; and in many cases, no doubt, great inhumanity was committed by persons who on the expiration of these long leases endeavoured to reduce the population to a point which the land could bear. Well, that state of things has gradually vanished, and the population has decreased very largely. Is that a calamity? A calamity to whom? To the nation? I say no, because a redundant population is no source either of wealth or strength to any country. Then, is it a calamity to those who have emigrated? I say again no, because they have gone to countries where they have got remunerative employment, and where their condition is better than it was in the country from which they went. Is there any proof of this? Why, in one year—the year of the distress—the Irish emigrants in the United States—all honour to them for so doing!—remitted a million and a half sterling to their friends and families in Ireland, to enable them to maintain themselves throughout the distress, or to follow them out to America. I say, Sir, that emigrants who are capable of doing this must be far better off than they were before they abandoned the country of their birth. No doubt, it is painful to sever ties which are coeval with our birth. No doubt, it is painful to leave home and sometimes to leave family. But allow me to say that the sentiment is not universal, because I have myself seen a party of emigrants intending to go to America, parading the road with a band of musicians, announcing themselves as American boys, and apparently happy to go. While therefore, no doubt, there are many cases where it is painful to leave home, that is not a universal feeling, because many persons feel that in leaving for America or the Colonies they are about to better their position, they are glad to go, and they hope to be able to remit to their relations the means of following them, or of maintaining themselves in greater comfort at home. Well, then it is said that the great object ought to be to retain these small cottiers. Sir, I contend that that is no good object. Heaven forbid that any violent means should be taken to compel them to go! As long as they are here, and willing to remain, every encouragement should be given to them; and a proprietor who upon abstract principles, or from interested motives, turns them off his land, does an act which, some day or other, he will deeply regret. But, there is no advantage to the country, in those persons remaining. Their remaining, indeed, impoverishes the country and prevents all agricultural improvement. ["No!"] The same system prevails in

France. The condition of the French is very similar to that which some persons apparently would like to see the Irish peasantry come to. Land in France is held by a great multitude of proprietors, who hold small plots. The consequence is general poverty. ["No!"] The peasantry are reduced there to the lowest level. Their holdings, small as they become by the law of equal division, are generally mortgaged. They are not even clear owners of the small bits of land which they hold; and thus they are in constant difficulties and are obliged to borrow money. I say that is not the condition to which it is desirable to reduce the occupiers of our soil. I make this assertion on general principles. But I contend further that the method by which hon. Gentlemen would arrive at the result is one inconsistent with every notion of right and of property. And, depend upon it, that no change is desirable in itself, no change can be justified or can be advantageous, if it is founded upon a violation of the natural rights of property. Gentlemen talk in the easiest way possible of the manner in which owners of land should be compelled to make such and such arrangements with their tenants, and should receive only such rent as other people adjudge them entitled to. I say these doctrines are Communistic doctrines, totally at variance with the whole fabric of social organization to which, in this country, we attach so much value, and upon which the interests and prosperity of our country depend. Let the owner and the tenant settle their own affairs. Give to each full liberty to do so. What right has any tenant to come to me and say, "I will make improvements, whether you think them improvements or not, whether it is convenient or advantageous to you or not that they should be made; and then, when I quit my tenement, you shall pay for those improvements, whether you like them or not?" That is language totally subversive of all the fundamental principles of social order; and that is what is called "tenant-right." For myself, if that be so, I am for landlord-right. I say you should leave the landlord and tenant to make arrangements between themselves respecting land, as you leave the buyer and seller or the hirer and letter of any other commodity free to act. In the Act of 1860, which was brought in by my right hon. Friend the Chancellor of the Duchy of Lancaster, we went as far as I think it was possible to go consistently with the principles of justice. We gave facilities which we thought desirable under that Act; but we would not go to the extent that your tenant-right gentlemen wished us, because to do so would have been to make the tenant, in some cases, joint-owner with the landlord; in others, owner altogether of that which does not belong to him, and to which, under no circumstances, can he have a claim. I very much regret that that Act is not being carried further into execution than is stated to be the case. But could you expect it? What was the intention of that Act? It was to enable the tenant to make improvements of the holding in his possession. But what improvements can a man make who has only five, or ten, or fifteen acres? He has not the capital requisite for the purpose. All he can do is to dig out the stones and make his land fit for the plough. Well, no doubt, even that would be an improvement. But have the last three years been seasons in which it was likely that the great majority of the Irish tenants—men who appear by the Returns to hold but very small portions of land, and are necessarily very poor—would be likely to take advantage to any extent of the provisions of that Act of 1860? Why, we are told they have been so distressed that they could not live on the land, even if they had it rent free. How, then, can you expect they would take advantage of that Act to carry out any great improvements? No doubt if it should please Providence to vouchsafe to Ireland better seasons, we shall then see some action—and probably a very good action—resulting from that Act. I would beg Gentlemen not to blame the Government for circumstances within the domain of geology and meteorology — not to blame the Government because there are not coals in Ireland to an extent sufficient to support manufactures, or because the Irish climate is generally wet, and in some seasons peculiarly so. We do what we can to enable men to make advantageous bargains one with the other; and we resist those inducements which are held out to us to interpose between man and man, to prescribe what terms they ought to make with each other, and to give to one man rights which the law of reason, of nature, and of man equally withhold from him. We say, let us remove all obstructions to commerce, even to the extent of allowing foreign goods to come into competition with the natural products of Ireland; but do not let us interfere in the transactions of men. Let them regulate their own affairs as best may seem to them; and I am quite persuaded that is the only course on which the welfare and prosperity of the kingdom can rest.

COLONEL GREVILLE said, the Government had now admitted what they had before denied, that there had been three seasons of great distress in Ireland. He asked the House what was to be thought of a Minister sent to govern that country, who, till the present year, had systematically denied the existence of distress? He did not think justice had been done in the discussion to the right hon. Gentleman the Chancellor of the Duchy of Lancaster, who went to Ireland with the intention of devoting his ability, which was very considerable, to the service of the country, and who went, in the Bill of 1860, as far as the Government could be expected to go. At that time, the hon Member for Dungarvan waived all claim to a retrospective clause. If it had since failed, it was not the fault of the right hon. Gentleman who introduced it He was of opinion, however, that the request for a Commission at this time was a fair one, and therefore he would support the Motion.

MR. MAGUIRE asked permission of the House to say a few words, and only a few words, in reply. The Chancellor of the Duchy had described his Motion as being without any specific object. No representation could be more erroneous. He asked for inquiry into the condition of the agricultural classes of Ireland, with a view to future legislation. He had also given the Government an alternative—if they would not grant an inquiry, or if they had sufficient information—which they really had — then they were asked to consult with their Attorney General as to how they could best amend the legislation of 1860, which had proved to be a failure. Surely, no proposition could be more distinct, and clear, and definite than that. He reminded the House, that in successive Sessions, when he brought forward the question of Irish distress, he had been invariably charged by Members of the Government with making false, or exaggerated statements. I suited the purposes of the Government now to admit the existence of that distress, in order to excuse the failure of the Act of 1860. No doubt, if there were happily a good harvest this year, the Government would claim credit for it. They were always ready to go into partnership with Providence. It was natural for an Administration to seek extraneous support when it contrived to exist by the suffrages of the Opposition. It had repudiated Reform, ridiculed the Ballot, and turned its back on its own supporters. But if Providence vouchsafed a bountiful harvest to Ireland, no doubt they would take credit for it, and say to the people of that country, "See what we have given you." He was delighted to witness the exhibition of vivacity and energy on the part of the noble Viscount that night; but in speaking of Irish emigration his impulse carried him a little too far. The question was not why four millions had already quitted their country, but why those who remained behind were anxious to go too. No doubt, they wanted to become as well off as their fellows in America; but why not pass a law to make them equally comfortable at home. The noble Viscount was accurate in his assertion that the time had gone by when the wail of the emigrants filled the heart with sorrow. They left with joy, because there was only despair for them at home. Now-a-days young women—the future mothers of a sturdy race—rejoiced in the prospects awaiting them, and in the fine clothes they assumed on the eve of the journey; and young men exulted in the feeling of independence with which they set out for the land where probably they would handle a musket either in a war against England, or in the bootless strife at present dividing that country to which they were soon to belong. But where was the limit to be? Was it to be five millions or four, or two millions. Were they all to go? If such was to be the spirit in which legislation for Ireland was to be carried on, then he did hope that the day might speedily come when the present Government would find themselves "in the cold shade of Opposition." The noble Lord had spoken o the exodus as a bad thing for landlords, but a good thing for the nation. But how what was an evil to individuals could be a benefit to a nation, he could not understand. The interests of landlord and tenant were identical; but as long as landlords were told by the Government "Do not yield anything," of course they would not, and so long there would be bitter warfare between the two classes. He only asked for inquiry, and he had submitted his proposition in as moderate terms as he could command, and the decision he left to the wisdom of the House.

Question put:—The House *divided*:—Ayes 49; Noes 128: Majority 79.

MALT DUTIES.

SELECT COMMITTEE MOVED FOR.

SIR FITZROY KELLY rose to move that a Select Committee be appointed to consider the effect of the malt duties upon the cultivation and price of barley; upon the manufacture and price of malt and malt liquor; and upon the application of malt to the feeding of cattle and sheep. The hon. and learned Gentleman said, it must be admitted that the agricultural interest had been little favoured by modern legislation. The Marquess of Chandos had in vain called attention to this subject in 1835. Since then Parliament had repealed the Corn Laws; had imposed the succession duty; had reduced the duties on foreign wines and other articles of foreign produce; and especially they had facilitated importation of foreign cattle; but the duty upon malt was undiminished. He thought, therefore, that the time had come when he might ask them at least to take some steps to consider the general effect of the malt duties through the means of a Committee. He would be content if his right hon. Friend the Chancellor of the Exchequer would consent to an inquiry. He did not wish to interfere with the revenue of the present year, but he wished to submit the great question whether or not a very considerable reduction of the duty on malt might not be effected without material injury to the revenue. When the question was before a Royal Commission in 1835, several witnesses gave it as their opinion, that if the duty were reduced by one-half, the loss to the revenue would not be appreciable, and therefore he looked hopefully to the effects of reduction. In 1722, when the duty was 4*s.* per barrel, the consumption of beer was 6,000,000 of gallons, or just a barrel per head per annum; in 1833, when the duty was 20*s.* 8*d.*, the consumption was 8,000,000 barrels, or just half a barrel per head of the increased population, the increase of duty leading to a diminution by one-half of consumption. The tax, in fact, fell with great severity on the only luxury within the poor man's means. He believed he could adduce evidence which would incontestibly show that a reduction of one-half of the duty would not lead to a diminution of the revenue. As to the use of malt in feeding cattle, whatever might be said by theoretical chemists, practical farmers said it would be of great utility, and that it would lead to a complete revolution in cattle feeding. The additional consumption of barley resulting from the reduction of the duty would lead also to the increased cultivation of poor land, and, consequently, to increased employment for labour. He hoped, therefore, that the Government would consent to the appointment of the Committee.

COLONEL BARTTELOT, in seconding the Motion, said, that although the remission of the tax would be most beneficial to the whole community, the effect on the revenue must be considered; and in dealing with a tax which produced £6,000,000 of revenue, it was difficult to advocate total abolition. The agricultural interest would, therefore, be satisfied if the Government would grant only such a diminution as the finances of the country could bear. He thought we ought to have free trade in everything. The best barley only fetched high prices at the hands of the brewers; but, with a reduction of duty, inferior lands would produce inferior barley at remunerative prices, to be turned into malt and ground up for feeding cattle, which would take the place of other cattle stimulants now resorted to by feeders, and regarded as necessary for their purposes, in the absence of malt.

Motion made, and Question proposed,

"That a Select Committee be appointed to consider the effect of the Malt Duties upon the cultivation and price of Barley, and upon the manufacture and price of Malt and Malt Liquor; also upon the application of Malt to the feeding of Cattle and Sheep."—(*Sir Fitzroy Kelly.*)

MR. COBBETT said, he was of opinion that the total remission of the malt tax would be most beneficial; but the Motion simply asked for a Committee to inquire whether the duty could not be reduced. With a reduction of duty, the price of malt would not be higher than the price of barley, as the increase which took place in the malting process paid for the cost. In the early part of the Session, the Chancellor of the Exchequer put forward an opinion that malt was not more efficacious in cattle feeding than barley. In consequence of that assertion of the Chancellor of the Exchequer, he (Mr. Cobbett) wrote to one of the most eminent cattle breeders, Mr. Booth, who informed him, in reply, that there was no doubt whatever that malt was one of the most "feeding things" that could be given to cattle. The Chancellor of the Exchequer might just as well say that barley would make as good beer as malt, as that malt was not more beneficial to cattle than barley.

THE CHANCELLOR OF THE EXCHEQUER said, that his hon. and learned Friend (Sir Fitzroy Kelly), when he appeared to found his Motion on the assumption that the cultivators of the soil were unjustly and unequally dealt with by recent legislation, took a line which he should not be justified in following. His hon. and learned Friend said, that while many other duties had been reduced, the malt duties had remained as they were. But his hon. and learned Friend should remember what had been done for the cultivators of the soil before. The duty on barley, in the shape of beer, which was double the malt duty, was entirely repealed about thirty years ago. What the House had to consider was, whether malt was unfairly taxed as compared with other articles. He had not the slightest objection to the reduction of the malt duty, provided the reduction could be effected with due regard to the interests of the revenue and to the relative rate of the taxes on malt and other articles now subject to taxation. The tax on malt, in relation to the value, was not higher but lower than the tax on spirits, tea, sugar, and on those descriptions of wine which could alone compete with malt liquor. Therefore, though he admitted it would be a great benefit to the country if the malt tax could be reduced, he was not prepared to allow that any case of injustice was to be made against the Legislature for the course taken with regard to malt. Free trade had been spoken of, and he agreed that all restrictions should be, as far as possible, abolished; but the necessities of the State must be borne in mind. He was quite prepared to accede to the appointment of a Committee to inquire into the operation of the malt duty; but he suggested an alteration of the terms of the Motion, and the insertion of certain words which, recognising the necessities of the State as an element of consideration, would direct the Committee to inquire how far the repeal or reduction of the malt duty was compatible with the interests of the revenue. In granting this Committee of Inquiry, the Government were desirous to defer to a desire extensively entertained in that House and out of doors. Moreover, the malt duty was a duty of Excise, and, interfering therefore with the freedom of trade, it was a very proper subject for vigilant observation on the part of that House, and for careful inquiry from time to time, because an Excise duty operated as a bar to improvement. The use of malt for feeding cattle, and the relative claims of the malt duty and other duties for reduction, were fair matters for the consideration of a Committee. He did not object, therefore, to the question of the reduction of the malt duty being made a subject of inquiry, on the principle that the reduction must be effected without injury to the revenue; but he confessed that he was not sanguine in that respect.

MR. BENTINCK hoped the Committee would not be animated by the same spirit as the right hon. Gentleman had just manifested. The right hon. Gentleman seemed to forget that the spirit as well as the malt duties were burdens on the soil.

MR. DODSON said, he questioned the statement of the Chancellor of the Exchequer, that beer was more lightly taxed than wine. The duty on the wine which came into competition with beer, such as the "Chancellor of the Exchequer's own Claret" at 14*s.* per dozen, or the two gallons, was 1*s.* per gallon. In that case the duty was one-seventh of the value; whereas in the case of beer it was one-fourth or one-fifth. As a tax on malt, and not on beer, the duty was at least 60 per cent.

MR. PACKE said, that one effect of free trade had been to introduce disease into all the cattle markets of the country.

SIR FITZROY KELLY said, he would accept the Chancellor of the Exchequer's Amendment.

Motion, by leave, *withdrawn.*

Select Committee *appointed,*

"To consider whether, compatibly with the interests of the Revenue, the Laws relating to the Excise Duty upon Malt can be amended so as to operate more advantageously with reference to the cultivation and price of Barley, to the manufacture and price of Malt and Malt Liquor, and to the use of Malt in the feeding of Cattle and Sheep."—(*Sir Fitzroy Kelly.*)

And on July 13 *nominated.*

WESTMINSTER NEW PALACE APPROACHES.

SELECT COMMITTEE MOVED FOR.

Motion made, and Question proposed, "That a Select Committee be appointed to inquire into the improvement of the Approaches to the New Palace of Westminster."—(*Mr. Tite.*)

SIR JOHN SHELLEY said, the Committee would only do what was properly the duty of the Chief Commissioner of Works.

MR. COWPER said, he had no objection to the Motion, although he confessed he should not think it necessary to move for an inquiry himself.

MR. AYRTON said, he was desirous of knowing who was to pay the expense of this inquiry, if it were entered upon? He thought, that if such an inquiry were deemed necessary, it should be carried on upon the responsibility of the Government. Otherwise, he would oppose the appointment of the Committee—particularly when he saw it promoted by an hon. Gentleman who was himself an eminent architect.

Mr. DILLWYN and Mr. LOCKE opposed the Motion.

Question put :—The House *divided* :—Ayes 40 ; Noes 15 : Majority 25.

Select Committee *appointed*, "to inquire into the improvement of the Approaches to the New Palace of Westminster."

QUEEN'S COLLEGE, CORK.

PAPERS MOVED FOR.

Motion made, and Question proposed,

> "That there be laid before this House, a Copy of the several Depositions relative to the burning of Queen's College, Cork, together with any Reports or Communications to the Government on the subject, from any of the Professors of the College."—(*Mr. Hennessy.*)

SIR ROBERT PEEL said, the documents moved for were part of depositions taken with a view to a criminal proceeding. It would be contrary to all precedent to produce them.

MR. MAGUIRE hoped the papers would be produced. It had been said that Queen's College was burnt by a member of the Ultramontane party. A more unfounded or more atrocious statement could not possibly be made.

MR. HENNESSY said, he had stated in the House before, and now repeated, that he had been informed by a Professor of the College, whose letter he now had in his possession, that he had given information to the Government which ought to satisfy them that the person who set fire to the building was an official of the College. He had also received a communication from the Principal of the institution to the same effect.

Question put :—The House *divided* :—Ayes 14 ; Noes 34 : Majority 20.

POLICE AND IMPROVEMENT (SCOTLAND) (PROVISIONAL ORDER) BILL.

On Motion of Mr. BRUCE, Bill to confirm a certain Provisional Order under the General Police and Improvement (Scotland) Act, 1862, relating to the Burgh of Leith, *ordered* to be brought in by Mr. BRUCE and Sir GEORGE GREY.

Bill *presented*, and read 1°. [Bill 184.]

House adjourned at a quarter after Two o'clock.

HOUSE OF COMMONS,

Wednesday, June 24, 1863.

MINUTES.]—SELECT COMMITTEE—*Report*—Private Bill Legislation * [No. 385].

PUBLIC BILLS—*First Reading*—Poor Law Board Continuance * [Bill 163] ; Loan Societies * [Bill 185].

Second Reading—Leases and Sales of Settled Estates Act Amendment [Bill 119], *negatived ;* Howth Harbour * [Bill 175] ; Misappropriation by Servants [Bill 156].

Committee—Post Master General (Sale of Land)* [Bill 174].

Considered as amended—Walmer Vesting * [Bill 170] ; Port Erin Harbour (Isle of Man) * [Bill 123].

Third Reading—Thames Embankment (South Side) * [Bill 171] ; Passengers Act Amendment * [Bill 143] ; Pier and Harbour Orders Confirmation * [Bill 148].

Withdrawn—Uniformity Act Amendment [Bill 104].

CONVICT PRISONERS.

QUESTION.

MR. CAVE rose to ask the Home Secretary a Question of which he had given private notice. About a month ago he moved for a Return respecting the discharges from convict prisons in England and Ireland. On showing the terms of the Motion to the Under Secretary for the Home Department, he was told that the Secretary of State wished all such Motions postponed till after the appearance of the Report of the Royal Commission on Transportation and Convict Discipline, which would contain all the information desired, and would be out very shortly. He, of course, acquiesced. Time went on, no Report appeared ; and a few days ago he again made inquiries of the Under Secretary with respect to the Report, and was told that it was in the printer's hands, and was almost hourly expected. He saw on the Notice Paper that morning a Motion by the hon. Member for Roscommon

(Colonel French) for a Return identical with the one which he was requested by the Secretary of State to postpone. He therefore begged to ask, Whether it was intended to give the information moved for by the hon. Member as an unopposed Return; and, if so, whether the Secretary of State could explain why a similar Return asked for by himself a month ago had been refused?

SIR GEORGE GREY said, that he had not refused the information; he had only suggested, through his hon. Friend the Under Secretary, that it would be better to postpone the Motion for the Return until it was seen whether the information was contained in the Report of the Commission. It was only that morning that he had seen the Notice of the hon. Member for Roscommon, and he could not say whether he should grant the Return until he had communicated with some Members of the Commission, and ascertained whether the information would be contained in the Appendix to their Report, which, though not yet presented, had been agreed to.

MR. CAVE asked whether the right hon. Baronet made the same inquiries when he asked for the Return.

SIR GEORGE GREY said, that at that time the Commission was sitting and taking evidence. The evidence was now complete.

UNIFORMITY ACT AMENDMENT BILL.

[BILL 104.] BILL WITHDRAWN.

Order for Second Reading read.

MR. E. P. BOUVERIE said, that looking at the period of the Session, and the state of public business, he had thought it right to consider whether, even if he was supported by a majority, he had any prospect of carrying this Bill into the other House in sufficient time for it to receive a proper consideration. He had arrived at the unwilling conclusion that there was no likelihood that he could do so; and therefore he thought it best to ask the House to permit him to discharge the Order, with the intention of re-introducing this measure at an earlier period next Session. He did not wish to enter into a debate upon bygone matters, but he might perhaps be allowed to say that the purpose of this Bill, and the motives of its promoters in and out of the House, had been entirely misunderstood, and, in consequence, greatly misrepresented. The object of the Bill had been stated by high authorities, and seemed to be understood by the Universities, to be to compel the Colleges to open the fellowships to Nonconformists Its object was nothing of the kind. The Bill simply proposed to remove a restriction which was imposed upon the Colleges two hundred years ago for an entirely different object, and which had entirely failed. He should have thought that the Universities and the Colleges would have been glad to obtain the full freedom of action which was so essential to the health of educational institutions as well as of other corporations. The measure was not brought forward in a spirit of hostility to the Universities or to the Church. The gentlemen who requested him to move in the matter were second to none in their attachment to the Church, and were most eminent members of the great educational body at Cambridge. Their motive, object, and purpose was to improve the University and the Colleges. They thought, and, in his opinion, rightly thought, that the removal of the restriction in question, by setting free the action of the Colleges, would tend to improve the educational system. That was one of the matters which, if he had gone on with this measure, would have had to be discussed; but certainly those who had taken an active part in preparing hostilities, and had signed Petitions against it, had not rightly comprehended its purport, scope, or effect. He should like them, in the cooler moments of the recess, to consider whether any fairer, more moderate, or more reasonable proposition could be made than that the Colleges should be left to their free action. At Cambridge, if this restriction imposed by an Act of Parliament was removed, they would have perfect freedom of legislation. There was some doubt whether such power existed at Oxford, but he believed that the 39th section of the Oxford University Act gave it to the Colleges. Therefore, it was idle for those bodies to contend that this restriction was essential to the welfare of their institutions, because they could by their own action protect themselves from intrusion precisely as they were now protected. One word as to the Petitions presented by his hon. Friend the Member for the University of Oxford (Sir W. Heathcote). If that University, in its corporate capacity, had ever been forward in promoting the advancement of the cause of education and general improvement, he should have said that a Petition under its seal was entitled to great weight in that House, but the reverse was the case. He should be at a loss to discover any measure which had been proposed during the last two centuries for the improvement of education and the advancement of the real interests of religion which had not been opposed by the University of Oxford, and therefore he attributed no weight to its Petition against this Bill. He might remind his hon. Friend of a couplet with which he was no doubt familiar—

> "The King to Oxford sent a troop of horse,
> For Tories own no argument but force."

That was said the best part of a century ago, but he was not sure that the same spirit did not animate many of the authorities of Oxford at this moment. He hoped that discussion and mature consideration would induce them to think that there was no ground for the opposition with which his proposal had, on this occasion, been threatened. The Petitions from Cambridge, which his right hon. Friend (Mr. Walpole) had been kind enough to allow him to see, were all founded upon an error as to a matter of fact. They stated that the removal of restrictions as to fellowships was proposed when the Cambridge Act was under discussion by that House, and that it was refused. Having had charge of that Bill and been present at all the discussions, he could state that nothing like his present proposal was then submitted to the House. What was then proposed was to open the Colleges compulsorily, and force them to open the fellowships, whether they wished it or not, to those who were unwilling to take any test. That was the very reverse of his proposal, and therefore these Petitions, founded entirely on a false assumption, were of no authority at all. He trusted that this question would come before the House at an earlier period next Session, and he was confident, that whatever prejudice might now have been raised against his proposal, it was so reasonable, so much for the interest of the Colleges and Universities, so much for the advantage of religion and education, and of the Church of England, the interests of which were bound up with the progress of education and religion, that he was sure that it must sooner or later be adopted. The right hon. Gentleman then moved that the Order for the second reading be discharged.

SIR WILLIAM HEATHCOTE said, he did not rise to question the discretion which his right hon. Friend had exercised in withdrawing this Bill, but only to reply to some observations which he had made with respect to the University of Oxford. The right hon. Gentleman had quoted a well-known epigram. He would remind his right hon. Friend that there was another version of the epigram which he had quoted, in which the learning of that University formed the prominent feature, and in which it was suggested that that learning which led them to certain conclusions required to be overborne by the force directed against them by the Whig Government of the day. The Petitions which he had presented from the University of Oxford were somewhat remarkable. One was a Petition from Convocation under its seal, and was adopted by a large majority of the persons present. But that Petition did not stand alone. Inasmuch as Convocation contained only persons on the spot, not exceeding 300 in number, it was determined to ascertain the opinions of the non-resident members, and nearly 2,000 of them signed a document approving the Petition. In addition, the younger men, who were not members of Convocation, that particular stratum in which his right hon. Friend would look for liberality, had expressed the same fear of his Bill. What his right hon. Friend had said, in fact, increased instead of diminished the authority of those Petitions. The right hon. Gentleman had recommended the House to disregard the Petitions because they were contrary to the general current of opinion. If this had been a direct aggression upon the Universities, it might have been right to disregard their Petitions; but as his right hon. Friend said that he only sought to give a certain discretion to the Universities, and to confer upon them powers and advantages which they did not now enjoy, surely they might be trusted when they said that they did not want any additional powers. If the members of the University, who were alleged to be fettered by restrictions and trammels, considered those restrictions and trammels safeguards which they had no desire should be removed, surely the House would be very cautious in removing safeguards which those most concerned thought to be necessary. He wholly denied that the members of the University were under any mistake as to the character of his hon. Friend's Bill—he believed its character was fully understood and appreciated. It was understood that its object was to take away the legislative sanction from the existing state of things, and place the Universities in a position in which they would find it more difficult to resist another day.

MR. WALPOLE thought that it would not be right that he should allow this Order to be discharged without saying a word or two in explanation of the Petitions which he had presented from the University of Cambridge. He believed that no more remarkable Petitions were ever presented to that House. The Universities did not in the least degree misapprehend the object of his right hon. Friend's Bill. When at Cambridge the argument was employed that it was a permissive Bill only: the answer was, "The fallacy of that is too transparent to deceive us." That showed that they understood the nature of the Bill. A permissive Bill could only be brought forward with the intention of creating agitation, on the ground that there was some grievance which ought to be remedied; and in his opinion it was worse than boldly asking the House to say to the Colleges, "You shall do so and so, because we think it desirable." The two Universities had petitioned under their corporate seals against a measure which would disturb their quiet, and interfere with the nature of the education given in them. It must be remembered that there was considerable debate in Convocation at Cambridge, and in the Senate House at Cambridge, whether or not these Petitions should be presented. At Oxford the Petition was carried by 182 votes against 51, and at Cambridge by 120 to 25 votes. From Oxford a Petition had been presented against the Bill, signed by more than 1,000 undergraduates and bachelors; and he himself had presented a Petition from all the Heads of Houses at Cambridge but two, from almost all the resident tutors, from several bachelors of arts, and from a large body of undergraduates to the same effect. He hoped that his right hon. Friend, having withdrawn this Bill, would seriously consider whether it was his duty to disturb the quiet and repose of Universities upon a matter on which they felt strongly, and in a way which was not required according to his right hon. Friend's own views—because, under the University Acts, even those who did not belong to the Church of England had the fullest opportunity of receiving the benefit of a University education. There was nothing so injurious to great seats of education like Oxford and Cambridge as to leave them in a state of agitation and uncertainty which prevented them from carrying on education in the manner most advantageous to the country. He entreated his right hon. Friend, between this and next Session, to consider whether he would feel it his duty to reintroduce the Bill, either in its present or its amended shape, next Session. Unless there was some overwhelming necessity, he hoped his right hon. Friend would not do so, and he was convinced, upon reflection, he would perceive that no such necessity existed.

MR. HADFIELD said, he greatly regretted the withdrawal of a Bill which was approved of by Nonconformists. He wished to correct an error in the speech of the hon. Baronet the Member for the University of Oxford. It was not to suppress learning that George I., on his accession to the throne, sent dragoons to Oxford, as the hon. Baronet supposed, but they were sent to put down sedition, which raged at the University. In those days the University was treasonably hostile to the King, and favoured the Pretender, whilst Nonconformists were unanimously loyal; and to revenge themselves on the Dissenters for their well-known fidelity to the Monarch, High Churchmen, and their mobs, demolished their chapels at Manchester, Oxford, Birmingham, and other places. Government ordered possession of the city of Oxford to be taken by the military, and the commanding officer, Major General Pepper, declared he would instantly shoot any of the students who should appear out of the bounds of their own Colleges. It was the well-known character of the Dissenters that their loyalty was undoubted; whilst, on the other hand, the University had to be kept in order by military power. This historical fact, and the bad theology of the professors, had, to the present day, made many to consider the University to be the very seat of heresy and sedition. So far from feeling any hesitation in disturbing the repose of Oxford, as the right hon. and learned Member for the University of Cambridge desired, he would have satisfaction in supporting the Bill when it came again before the House. The intellect of the people was opposed, at the present time, to those tests, which separated man from man; and good men of every denomination wished to place all classes of Her Majesty's loyal subjects on terms of equality, for the common welfare and satisfaction of the country.

Mr. NEWDEGATE said, he begged to tender to the right hon. Gentleman his thanks for proposing the discharge of this Order. He (Mr. Newdegate) was educated at the University of Oxford, which the hon. Gentleman opposite (Mr. Hadfield) declared to be a hot-bed of heresy and sedition. He had been a Member of the House for twenty years, and he hoped that the House had not observed in his conduct any heretical or seditious tendencies indicating the effect of the education which he received at the University. He fully participated in the feelings of the University, and joined in their Petition that the House would not deprive them of those legal directions and restrictions which they believed to be essential to the faithful discharge of the high duty which they had to perform in preparing men for the ministry of the Church of England. He was quite sure that the right hon. Gentleman (Mr. Bouverie) would allow him to take this opportunity of presenting to him a phase of opinion and feeling which he had overlooked. The right hon. Gentleman quoted an epigram which showed that a certain Sovereign had been tempted to use force in respect to Oxford University. If the right hon. Gentleman referred to the melancholy history of James II., he would find that he attempted to use force against Oxford, and in what direction? Precisely in the direction of this Bill. It was the determination of that unhappy Sovereign to force upon the governing bodies of the colleges in that University certain Roman Catholic priests of whom he approved; and this proposal was based upon the Declaration which he had issued, expressive of his determination to absolve all his subjects from the restrictions, the repeal of some of which the right hon. Gentleman was attempting by the introduction of this Bill. If the right hon. Gentleman recalled to his mind the historical events of that period, he would remember that even the Quakers addressed the King on this subject in most flattering terms—they even went so far as to leave their hats in the anteroom, that they might address him bare headed. But the people of England, so far from participating in the desire of the King to have these legal protections removed from the Church and from the Universities, effectually ejected that Sovereign from the throne. Oxford participated in that sedition against James II.; but there was no pretence for saying that the University was not most loyal to the present Royal Family, since it was this very resistance to the Declaration of James II., and this very refusal to do away with the existing restrictions on admissions to high offices in the University and the Church, that placed their loyalty to the present dynasty beyond doubt. There was another portion of the subject upon which he wished to say a few words. The opinions and feelings which seemed to actuate the right hon. Gentleman in introducing this Bill had been enunciated in the letter of Professor Stanley to the Bishop of London, in which it was affirmed that the present restrictions operated as a bar to candidature for admission to the ministry of the Church on the part of some of the most eminent young men of the present day. He had asked the opinion of men of the highest eminence, whose names he was not at liberty to mention, but who had watched during long lives the various phases of opinion which had become predominant in the Church of England, whether they believed that this view was correct? and they denied that it was so. One in particular says, "I remember the period when the prevailing opinions of the Church of England were condemned as too secular; yet there was no failure of candidates for the ministry. I can remember," he said, "when what are called Evangelical opinions were predominant; but there was then no failure in the supply of candidates for ordination. I can remember the period when many favoured the Tractarian movement: at that time there was almost a rush of young men to join the ministry." But now, when it was proposed to remove the standards by which these young men, after admission to the ministry, were to be guided, and with reference to which they were to conduct themselves in their sacred calling, after being admitted by their ordination to the high functions of the ministry—these standards resting entirely upon the authority of Holy Scripture, which formed the firm basis of the whole system of the Church of England—they, for the first time, found a failure in the candidature for the admission to holy orders. He would ask the right hon. Gentleman whether this reluctance was not natural in young men who wished to do their duty, and who therefore wished to have their duty clearly defined; who desired, by accepting a standard and rules of conduct authoritatively prescribed, to have before them a specific guide for the due and faithful performance of their duties in accordance with the promises made in their ordination vows. He believed that this reluctance to enter the service of the Church might be justly attributed to the undue prevalence of speculative notions in high quarters, which shook the very foundations of our Establishment and of our religion. Young men feared that they might be deprived of the legal guidance and protection hitherto afforded to the clergy, and it was that which had hindered many young men from coming forward to discharge the duty of the ministry. Let the right hon. Gentleman consider this. All young men were not actuated by a presumptuous spirit of self-reliance. Those who were not, desired that the authority of the Church on doctrinal subjects might continue expressed as it was at present, and might thus give weight to their ministry, if that ministry was faithfully performed in accordance with the teaching and discipline of the Church. This movement would deprive them of that sanction and authority; and it was the conviction of men as competent to form an opinion upon this question as any man could be, that it was the fear of being launched on the duties of the priesthood without the countenance and protection afforded by the present regulations, which they called restrictions, that hindered young men from presenting themselves in adequate numbers for the ministry. He was sure that the right hon. Gentleman would believe him, when he said that he made these observations in the spirit that they were called here to consult upon matters of deep interest to the country, and because it was possible that this particular phase of opinion might have escaped him; for men were all somewhat too apt to judge in accordance with the opinions of those with whom they naturally came into immediate contact, and often did not attach the importance which they ought to the feelings and opinions of others. He again thanked the right hon. Gentleman for withdrawing this Bill. They were in a period of considerable danger, for there were now in this country those who were known to be the deadly opponents of the Church of England—men who adopted all phases, would shrink from the use of no means and no obstacle which stood in the way of effecting a revolution in that great Establishment which, the hon. Member for Sheffield (Mr. Hadfield) would forgive him for reminding him, had been for centuries the chief guardian of religious freedom throughout the world. Against them the Church of England defended her doctrines and her Establishment, and she did this by law. He would beg the hon. Gentleman the Member for Sheffield also to remember that the leading denominationalists among the Protestant Dissenters had their standard of doctrine, and that any minister who did not regard these standards was visited by the penalty of dismissal from the ministry—a penalty which was rarely enforced against a clergyman of the Church of England in the present state of the Ecclesiastical Courts. There were, indeed, some few classes of Protestant Dissenters who had not a distinct definition of their doctrinal faith, and among these few were the Independents; but the discipline which they exercised over their ministers was all the more severe. If the right hon. Gentleman inquired of the different Protestant Dissenting denominations in this country, he would find that they almost all had standards of belief and a very arbitrary system of ecclesiastical discipline. It had been almost universally acknowledged by the Protestant Churches of the world that their discipline must enforce the standards of their faith, and that the tender of the standards of faith which they made to the world must be distinct, for a clear understanding of the tender is essential to freedom of choice; whether that freedom of choice is exercised by acceptance or by rejection.

MR. GÖSCHEN said, he regretted that a full and ample discussion of the Bill had not taken place, for he was sure it would have served the cause the right hon. Gentlemen had at heart, and assisted that large and strong party which really did exist at both Universities notwithstanding what had fallen from the right hon. Gentleman the Member for the University of Cambridge. That right hon. Gentleman seemed to have forgotten that a Petition had been presented, not from the University of Cambridge, but from seventy-four Fellows and Tutors of that University in favour of the Bill before the House. He thought it could scarcely be said, in the face of that Petition, that the right hon. Gentleman who was proposing this Bill was disturbing the repose of the University. The fact was that that repose had been disturbed; and it was not by avoiding the discussion of the subject in the House that that repose could be artificially maintained. For his part he was ready to assert that it would be unfortunate if repose were the chief characteristic of our Universities. He should have thought that in the Universities they should rather look for continued intellectual activity—that in places where men were to be trained who were not to be merely learned men, but men who had to cope with the world, and even in the case of the clergy, men who were to be strong enough to defend the Church should she be assailed, there should be, not repose, but activity. He believed there was a strong feeling at the Universities in favour of this Bill. He had spoken of the Petition of the seventy-four Fellows and Tutors of Cambridge in its favour. He believed that in the first Colleges there was an actual majority of Fellows and Tutors in its favour—and he was sure the House would see, and the country would see, that there was not the objection to this Bill which might be supposed from the observations of the right hon. Member for the University. With regard to Oxford, they had not got so far as Cambridge; but he believed that in Oxford also there was a strong feeling in favour of this Bill, and he saw in the papers that morning that a Petition was preparing to be presented in its favour. He knew that the Petition was so strongly signed as to show that the spirit which had animated Cambridge also animated Oxford. He regretted that they had not had a full discussion on the measure, but he was sure the House would not think, that because it was delayed for a year, it was therefore dropped. If the right hon. Gentleman behind him (Mr. Bouverie) were to drop it, it would be necessary, from the feeling expressed by influential persons at the Universities, that the Bill should be brought on again by some one else. It was very natural that a large portion of such Conservative bodies as the Universities of Oxford and Cambridge should be against the Bill; but he trusted that when they saw that the subject was pursued in a proper spirit, in no spirit of hostility to the Church, they would withdraw their opposition. He would not have approached the subject if he had thought it detrimental to the Church of England; but he believed that the Church was strong enough to grapple with difficulties such as these, that it would be more able to fight for the faith, if it fought with a free hand, than if its arms were tied. He believed that the Universities of Oxford and Cambridge had recognised the signs of the times, and saw that it would be well to fight with the arms of the day. He believed that the Church of England was in more danger from those who were so faint-hearted that they trembled before every attack, than from those who faced the danger.

Mr. MONSELL said, that he felt as acutely as possible the loss suffered by persons not belonging to the Church of England by being debarred from participating to the fullest extent in the education afforded by Oxford and Cambridge. There it was that the character of their public men was formed. But even for the sake of obtaining those advantages he would not be a party to breaking up the fundamental principle on which Oxford and Cambridge were formed, which was that religious should accompany secular instruction. But was it not possible to extend the benefits of the Universities without any infringement of this fundamental principle, by affording facilities to the different bodies not in connection with the Church of England to establish halls or colleges in the Universities? Although he did not concur with the proposal of the right hon. Gentleman, he thought the hon. Member for Warwickshire had misrepresented him. The difference between the proceedings of James II. and the proposal of the right hon. Gentleman was this—the Monarch sought to interfere with the Universities in an unconstitutional way, and by violating the law; whereas the right hon. Gentleman sought to effect his object in a strictly constitutional manner, by the action of Parliament.

Mr. REMINGTON MILLS said, that the object of James was to do without Parliamentary authority what it was now proposed to do with Parliamentary authority. The real cause which deterred young men from entering the Church of England was that recent discussions had called attention to the inconsistencies they would be compelled to subscribe on entering the ministry. There was more unity in any body of Dissenters than in the Church of England. There was scarcely an "ism" that had not its counterpart in the Church. They all cared only to go their own road without being interfered with.

Mr. HENLEY said, that many curious remarks had been made in the course of this debate, but none was more curious than the assertion of the hon. Gentleman who had just sat down, that Dissenters were always unanimous, remembering the litigation which took place not long ago about Lady Hewley's bequest. It did not seem as if every man only cared to go his own road, when the Court of Chancery was invoked to settle it for them. He rose to express his thanks to the right hon. Gentleman the Member for Limerick (Mr. Monsell) for the testimony he had given to the value of religious education, and to assure him that the suggestion he had made was one deserving consideration. It was, however, a subject of much difficulty, and wholly foreign to the present Bill. If the measure were re-introduced next year, its opponents must only be prepared to resist it as well as they could. But he entered his protest against the supposition that all the "ability," as it was called, was in favour of the Bill. Their vauntings reminded him very much of the old fable about certain substances floating down a stream, which cried out and gave themselves a particular name. Minorities, it was well known, always comprised the larger amount of good sense; they had done so since the beginning of the world, and would to the end: but still, for all that, majorities were majorities, and in this country we had got a way of adopting the view of the majority, and not of the minority.

MR. DUNLOP said, the case of Lady Hewley was one in which the authority of the Court was invoked, not to settle questions of ecclesiastical discipline, but to decide upon the destination of particular property. He had always thought it a system repellant to honest minds that those who were to act as teachers of religion and morality should be obliged to commence by putting a gloss, by which they could not deceive themselves, on the obvious meaning of formularies of the Church, slurring over the most material points.

Order *discharged.*

Bill *withdrawn.*

MISAPPROPRIATION BY SERVANTS BILL—[BILL 156.]

SECOND READING.

Order for Second Reading read.

MR. STANILAND said, that the object of this Bill was to ameliorate the law which adjudged it to be felony for a servant to take his master's corn for the purpose of feeding his master's horses. The Judges of Assize felt great repugnance to sentencing servants under the present law, and juries not unfrequently found them not guilty in the face of the clearest evidence. He proposed to reduce the character of the offence, so that it might cease to be a felony, and might be summarily dealt with by two magistrates in petty sessions. Offenders were to be imprisoned, either with or without hard labour, for any term not exceeding three months, or to be subject to a penalty not exceeding £5. Believing that the certainty of punishment would deter farm servants from the commission of this offence, while it would save their masters the expense and inconvenience of prosecuting at sessions and assizes, he moved the second reading of the Bill.

SIR GEORGE GREY said, he had no objection to offer to the second reading. It would be necessary, however, to take care that the first clause should not apply to the case of servants who might take their masters' corn for the purpose of selling it.

ADMIRALTY BOARD.

SELECT COMMITTEE MOVED FOR.

ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [9th June],

> "That a Select Committee be appointed to inquire into the constitution of the Board of Admiralty, and into the different departments under the control of that Board."—(*Mr. Dalglish.*)

Question again proposed.

Debate *resumed.*

SIR HENRY WILLOUGHBY said, he availed himself of the first opportunity of resuming the debate on this subject, the adjournment of which he had himself moved in consequence of the lateness of the hour to which the discussion had been prolonged. He regretted the absence on this occasion of the Secretary to the Admiralty, who had on the last discussion alleged that the remarks of the hon. Member for Glasgow (Mr. Dalglish) had some reference to the trade of the city which he represented. He regretted that the noble Lord had permitted himself to make such a remark, because, as the hon. Member for Glasgow had been a Member of the Royal Commission of which he (Sir H. Willoughby) was latterly the Chairman, he could bear testimony to the active, energetic, and useful services rendered by the hon. Member to that Commission—the hon. Member having, in the performance of his duty, imposed upon himself the trouble of visiting the dockyards of foreign countries as well as those of England. The noble Lord (Lord C.

Paget) also remarked that the Committee, which sat last on the constitution of the Admiralty, merely reported the evidence, and that the absence of a Report did not look as if the Committee came to a conclusion in favour of a change in the constitution of the Board. But that was one of the most erroneous inferences that could be drawn. That Committee had been smothered by the immense mass of business thrown upon it after its appointment. The hon. and gallant Member for the East Riding (Admiral Duncombe) occupied the anomalous position of obtaining an inquiry which he did not, by becoming Chairman of that Committee, conduct. Several Members of the Committee had formerly been at the Admiralty, and the inquiry was of the most extensive kind, because it took up the administration of statesmen who were Members of the Committee. Then, when the Committee were in the agonies of proceeding with this mass of matter, the business of another Committee was thrown upon it, new Members were added to it, and the inquiry soon became a species of stale-mate. The hon. Member for West Norfolk (Mr. Bentinck) retired from the Committee, because he came to the conclusion that it would end in nothing; and he (Sir H. Willoughby) was very much disposed to follow the example of his hon. Friend, and was only induced to continue upon the Committee from having been a Member of the Royal Commission. From the moment, however, that the labours of another Committee were superadded, it was impossible for the original Committee to report upon any change that might be required in the constitution of the Board of Admiralty. He did not know what hope the hon. Gentleman (Mr. Dalglish) had of carrying on an inquiry by means of a Select Committee at this late period of the Session; but if the hon. Gentleman went to a division, he should vote with him. His (Sir H. Willoughby's) argument, however, was that there was plenty of evidence on which the Government could and ought to act in regard to the reforms which were necessary in the constitution of the Admiralty. The main difficulty appeared to be a due regulation of the expenditure of the Admiralty — of those £4,000,000 which were spent in wages, stores, and similar objects. The evidence in support of the insufficiency of the present system in checking this expenditure was to be obtained chiefly from the evidence of the chief officers of the Admiralty themselves. In 1851 the noble Lord (Lord Clarence Paget) expressed his doubts whether an effective substitute had been discovered for the old Navy Board. The fact was that the Lords of the Admiralty, who were supposed to control the departments, were in such a position that, with the best intentions, they were unable to do so. The evidence of Sir Richard Bromley, the late Accountant-General, was most decisive on this point. He said distinctly that the accounts were bad He trusted that the House would distinguish between accounts and expenditure. What the House wanted to secure in the first place was a wise and wholesome expenditure. A book of accounts had been published—not, he was happy to say, at the expense of the House, but of the Board of Admiralty—which showed an expenditure of £1,500,000 in the dockyards. It occupied 365 pages; and if any one could make head or tail of it, he was very fortunate. The question which the Commission tried to solve was, "Who manages the expenditure?" Well, if there was one point on which the testimony was universal, it was that nobody did. They first asked the Accountant General. He said, "We know nothing of the expenditure." The Commissioners took what they considered the most effective mode of getting at the root of the matter. They examined the First Lord of the Admiralty. If ever there was a First Lord who paid attention to the finances of the navy, it was the Duke of Somerset. The Commissioners found, however, that it was useless to ask the First Lord, for he knew nothing about it. They then went to the first Naval Lord, Sir Richard Dundas. When they asked him who managed the expenditure, it was like touching a hot coal. He replied, "I know nothing of that—you must ask the Controller General." The Commissioners always put the question to the witness; and when he said he did not know, they asked him who could tell them. The Commissioners then asked the Controller General. He said, "We have nothing to do with the cost of building and altering ships; you will find it in the dockyards. Ask the master shipwrights." When the Commissioners went to the dockyards, they examined every master shipwright, and one assistant master shipwright. They replied that it was no business of theirs, and were astonished at being asked the question. They said, "We are builders, not contractors." Every one of them said he knew nothing about the cost; but one or two admitted it would be a great aid to them if they did know. The Commissioners said they would like to know the comparative cost of building vessels in each dockyard, and asked the master shipwrights if they did not sign a document describing the cost of each ship. They all admitted they did, but one said that their signatures added no weight to the document, while another said that signing these documents was a mere matter of form. The Commissioners then asked them about the accounts. They said they believed they were very inaccurate; that they were kept by the clerks, who were often very young men. That was the present system of dockyard management; and if any one wanted chapter and verse, he was ready to give it. The master shipwrights were able men, but the fact remained that a vast outlay was incurred without preliminary estimate. When the Commissioners found this to be the fact, the Secretary to the Admiralty said it had never been the practice to have preliminary estimates. It was his firm conviction that it was for the Admiralty itself to look into this matter. He was glad that the hon. Member for Halifax (Mr. Stansfeld) had become a member of the Board, because he believed him to be a true friend of economical administration; but, whatever the good wishes and good-will of the hon. Gentleman might be, under the present system he was without power. Sir Richard Bromley said that his superior officer was the civil Lord of the Admiralty, whose initials, even at the foot of his papers, took away all responsibility from him; and Sir Richard Bromley added that the civil Lord had been changed six times within eleven years. There was no effective check over the expenditure, not from want of good-will, but from the want of directness in the relation between the First Lord and the subordinate officers of the Admiralty. The first thing to be done was to make the Controller General a member of the Board. If he were brought habitually to the Board, and if, instead of filtering his authority through another Lord, he were made responsible, something would be done towards placing this vas expenditure under more efficient control. It did not require a new Committee to investigate these matters, for they could not carry the evidence any further. He believed, that if an able man like Admiral Robinson, the present Controller General, were brought into direct relation with the Board, and if the First Lord would say to him, "What will this ship cost, and where are your estimates?" the House would at last get a grasp over these vast establishments. He had read no extracts from blue-books, because he knew how tedious they were felt to be; but he had not said a word for which he could not find ample proofs, and the conclusion to which he came was, that the Board of Admiralty might render the interference of the House unnecessary by itself making the changes in its constitution that were required.

SIR JOHN HAY said, he agreed with his hon. Friend that no practical good would result from the appointment of a Committee at this period of the Session. At the same time, if the hon. Member for Glasgow went to a division, he would vote for him, in order to mark his sense of the neglect of the Government in not undertaking to make proper arrangements to secure responsibility in the Admiralty. The cardinal defect of the Board of Admiralty, as at present constituted, was the want of responsibility that pervaded, not only the Board, but every one of the thirteen branches of administration conducted by the Board. These thirteen branches were:—1. Manning the Navy; 2. Discipline; 3. Construction, Marine Engines, and Dockyards; 4. Public Works, Docks; 5. Paymaster or Accountant General; 6. Storekeeper General; 7. Victualling; 8. Ordnance; 9. Medical; 10. Hydrographical; 11. Marines; 12. Court Guard; 13. Transport board. It was practically impossible to fix the responsibility on any one officer. The officers who really did the practical work of the Admiralty in its various branches were not responsible to the House or the public, and the superior authorities, who were supposed to be responsible, were shielded by the fact that they had no practical knowledge of what was done in the different branches. Take the manning of the navy. The natural course would be for some one to be directly responsible to the First Lord. The first sea Lord had the manning of the navy in his department, but the whole Board took the responsibility. The discipline of the fleet was nominally vested in the First Lord. If he were not a sailor, it practically passed to the first naval Lord, who was not responsible to the House of Commons. The hydrographic survey, the ordnance of the navy, the storekeeper's department, the medical department, and all the other departments of the Admiralty ought to be under one responsible head, who should be directly responsible to the First Lord, instead of filtering their responsibility through individual Members of the Board or the Board itself. The First Lord should be the responsible Minister of Marine, and should have the power of at once putting his finger on the practical officer who was really responsible, and making the responsibility a reality. Most of these changes might be made by the Admiralty itself, and they ought to be immediately carried into effect.

Mr. C. BERKELEY trusted that the Government would resist this Motion. There could be no necessity for further inquiry, because the evidence was sufficient. The Duke of Somerset admitted that improvements might be made, but said that all the necessary minor changes and improvements might be made by the Admiralty itself, and that no further powers were necessary. Sir James Graham had expressed a very strong opinion on the question whether a civilian or a naval officer should be at the head of the Board, and the opinion of the right hon. Baronet opposite (Sir J. Pakington) was similar. The evidence of Sir Thomas Cochrane was also taken, and Admiral Bowles stated that the constitution of the Board was perfectly satisfactory, that it had been found to work extremely well in the most difficult and dangerous times this country ever knew, and he did not see why it should not work well for the future. It was quite clear that the Board of Admiralty had power to deal with matters of detail without coming to Parliament for its sanction. As to the control of the dockyards, that most distinguished officer, Sir Michael Seymour, lately a Member of that House, and who for five years was Dockyard Superintendent, gave it as his opinion that it was desirable that a naval man should be at the head of the dockyards. The hon. Member for Glasgow (Mr. Dalglish) said he would accept the evidence in the blue-book, and gave it as a reason for seeking for a Committee at so late a period of the Session, that they might have time to study the evidence of that blue-book during the recess. But if they did study the evidence, it would be found so conclusive that the hon. Gentleman would never have an opportunity of carrying his views into effect. He could not see that any practical good could arise from the appointment of this Committee, and he should therefore oppose the Motion.

Mr. STANSFELD said, that from the course which the debate had taken he thought he might assume that his hon. Friend (Mr. Dalglish) was anxious rather to place some views of his own with respect to naval administration before the House than to carry the question to a division. He (Mr. Stansfeld) was not sorry to be absolved from entering into the general question, because it was evident he would not be entitled, from any long official experience, to give expression to any well-founded convictions. With respect, however, to the constitution of the Board, he wished to make a few remarks. The great object of the hon. Baronet (Sir H. Willoughby) seemed to bring the Controller of the Navy into direct contact with the First Lord of the Admiralty, and to put more work upon the shoulders of an officer whom he described as already overpowered with work. But anybody at all acquainted with the manner in which the business of the Board was conducted must be aware that all the heads of Departments were in that direct relation with the First Lord of the Admiralty which the hon. Baronet so much desired. The hon. and gallant Officer the Member for Wakefield (Sir J. Hay) said there was a want of direct responsibility on the part of the various authorities of the Admiralty. On that point he took direct issue with his hon. Friend. The assertion was founded on an entire mistake. The responsibility of the Board of Admiralty to the Crown and the public, so far from being divided, was absolute as far as the First Lord was concerned; and, besides, there was the accumulated responsibility of himself as well of the other Members of the Board. He would illustrate that by reference to the Department with which he was specially concerned. The two leading matters with which he was concerned were permanent works and accounts. Now, no First Lord that ever presided over the Board of Admiralty would ever think of coming to that House and pretending to shirk any tittle of responsibility with regard either to works or accounts. There was, then, the complete and well-recognised responsibility of the First Lord, and the further responsibility of him, who was called the superintending Lord. He (Mr. Stansfeld) held himself responsible, and he held it to be his duty to form opinions with reference to organization and the general conduct of affairs, and, in case of need, to press those opinions upon the attention of the Board. The result of such a proceeding would be decisions for which the Board and the First Lord would be responsible to the House and the public. The hon. Baronet the Member for Evesham (Sir H. Willoughby) had referred to the state of things which existed at the time of the Report of the Commission of which he was a Member, and more particularly to the accounts. The accounts came within his (Mr. Stansfeld's) Department, but the subject was not an inviting one, nor was it easy to understand, nor easy to make it understood, by those who were not familiar with such matters. He would, however, try to show what had been done, and what was being done, to carry the recommendations of the Commission into effect. There was no question that at the time the Commission sat there was abundant need for inquiry. Until 1856 there were no accountants' offices in the dockyards. The storekeeper in each paid the wages and kept the expense accounts. Between 1856 and the date of the Commission of Inquiry accountants' offices were opened in the dockyards, and the duty was transferred to the accountants, in the first place, of paying wages and making other payments which it was not necessary to specify; and secondly, of keeping the accounts in a way upon which so much had been said upon other occasions. The accounts of expenditure upon ships and other matters used to be transmitted to the Controller's Office in town, not to be dealt with as a system of accounts, but with a view to Returns which might be drawn up for the information of Parliament. But the Commissioners made seven recommendations. They suggested, first, that the Accountant General should be instructed to frame a new system of accounts upon the principle of double entry; secondly, that the expense accounts should be made up in the dockyards every month, and transmitted to the Accountant General by the 15th of the month following; thirdly, that an annual account should be laid before Parliament, giving a detailed statement showing how the money voted had been expended upon ships and services; fourthly, that the form of accounts should be carefully revised; fifthly, that the Accountant General should consult with the officers of the several yards, in order to decide upon a system of classification in those yards; sixthly, that the storekeepers should be cashiers, and should pay wages in the yards; and seventhly, that the practice of issuing stores without vouchers should be immediately changed by the Superintendent of the dockyard. Now, there was scarcely one of those recommendations which had not been or was not being practically carried into effect. The only exception was that with regard to the storekeepers being cashiers and paying wages. Each yard had now two officers—one of whom paid wages, while the accounts were audited by the other; and therefore it was unnecessary to adopt the recommendation to which he had referred. Now, he wished to exhibit this question in two points of view—first, to show the form and organization of the accountant's department in each yard; and secondly, to go to the office of the storekeeper and trace the accounts from the original vouchers until they were shown in the shape of those annual Reports which were presented to the House. In consequence of the recommendations of the Commission, in the spring of 1861 the Board of the Admiralty determined to establish an Audit Office in each dockyard. In the accountant's office wages were paid, and the expense and manufacturing accounts of the steam factories, but not of the workshops, were kept. The first duty of the Audit Office was to audit the wages accounts. The accountants did not act merely as cashiers, but ascertained from the muster-roll before they paid them the attendance of the men, and upon what labour and materials they were employed. Besides auditing the wages accounts, the Audit Office made up the expense accounts monthly, and sent them up to the Accountant's Department at Somerset House, and they were there posted upon the system of double entry, and were finally issued in the expense accounts laid annually before the House. Now, the storekeeper might be defined as the officer who purchased for the navy the raw materials of manufacture, and sold them again to the dockyards at prime cost, with the necessary allowance for the labour appertaining to his department. Taking the simplest case—that of timber—by way of illustration:—when the storekeeper bought the raw material under contract, and issued it unconverted, he issued it at contract price. But timber might be converted by labour, and then the converted timber or the manufactured article might be returned to the store. He had before him an account showing the cost of the conversions in the storekeeper's department. On the debit side was the charge for the raw materials as purchased by the storekeeper, and the column for the value of the labour bestowed upon them; on the credit side were the returns of the unconverted materials and the converted materials, and thus the two sides were made to balance. But then the question arose whether the converted timber was charged to the workshop at the rate which had been paid for it. That had not always been done. The rate-book had not always attained a correct estimate, and Sir R. Bromley had shown that to have been the case. It was requisite, as a matter of account, that there should be some means by which the accuracy of those charges might be ascertained. He would explain the method which the Admiralty proposed to adopt. They would introduce on the credit side a column in which would be inserted the rate-book prices of the articles converted or returned. At the foot of each balance sheet the total of the rate-book prices would be summed up, and that total would be compared with the total of the value of the conversions and the returns. The same would be done with respect to the workshops, and his hon. Friend would admit that by so doing they would, by the end of the year, be able to show by what amount the charges differed from the cost of the materials, and of the labour bestowed upon the materials. With respect to the item of 10 per cent, intended to cover certain general charges upon the production of articles manufactured in the dockyards, the Admiralty were of opinion, and the late Accountant General was also of opinion, that though occasionally in the books of private builders this percentage account might be found, no item of that kind ought to form an element of account, which should be one simply and absolutely of cash expenditure. From these expense accounts, therefore, the percentage column would for the future be eliminated. He wished his hon. Friend to understand that the instructions were already prepared, and would be brought into operation on the 1st of October next. With reference to the large items of general superintendence, wear and tear, maintenance of plant, &c., they would be distributed *pro ratâ* against the ultimate accounts for service and ships. It might be objected that those intermediate manufacturing accounts might show a less cost than they ought, because they were not debited with those charges which would be made in cases of ordinary business. But where there was no mistake as to the meaning and object of the account, it was easy to draw the correct inference with regard to it. As to the third recommendation of the Commission, that an annual statement of the expenditure upon ships and services should be laid upon the table, what would be done was this: —The account would exhibit at the debit side in the first column the cost of materials employed, in the next column the charge for labour ; and these two columns would be derived from the monthly returns made by the audit clerks of the dockyards from the original vouchers. It had been said that it would be necessary to compare the cost of a ship built in one of Her Majesty's dockyards with that of a ship built in another; and not only that, but with the cost of a ship which might be purchased from a builder in the trade. Well, according to the new instructions, all the charges would be classified according to certain stages in the building of a ship, so as to show the House, stage by stage, what the expenditure was in one dockyard and what in another, and also to enable it to compare that cost with the expenditure in the private building yards of this country. Now, about the interest upon capital and rent of premises. The real point was not so much what one chose to include or to exclude, as to know without mistake what was included and what excluded. They had come, then, to the conclusion that to make a charge for rent or interest upon capital would be to do a mere artificial thing. They did not propose, therefore, to debit those accounts with any charge for use of premises or plant, but they did intend to charge the cost of maintaining or renewing that plant. He did not know whether he had succeeded in making himself understood, for the subject was neither easy nor inviting, but it appeared to him necessary to state the changes which had been made or were about to be made; in order to meet the views of the Commission and the wishes of the country. He was anxious that these accounts should be made to tell the truth and the whole truth about the matter, and he would not be satisfied until that was done. He would also further say, that if at any time any practical suggestions could be made by any hon. Members, founded on the attention they had given to this subject, those suggestions would receive from him and the Board of Admiralty immediate and respectful consideration.

SIR JOHN PAKINGTON thought that the speech which the House had just listened to was highly creditable to the hon. Gentleman, both individually and as member of the Board of Admiralty, and indicated great ability and aptitude for the office to which he had recently been called. He should, moreover, be very sorry if any party feeling were to deter him from acknowledging, in the most open manner, that the noble Duke at the head of the Admiralty conducted that great Department in a manner deserving of the highest commendation. He believed that both on the part of that noble Duke and the Board generally there was manifest every desire to consult the interests of the public service, and to adopt such suggestions as might lead to improvements in the Department. He thought it must have been very satisfactory to the hon. Baronet the Member for Evesham (Sir Henry Willoughby) and the hon. Member for Glasgow (Mr. Dalglish) to hear that the Admiralty had adopted, if not all, very nearly all, the recommendations contained in the Report of the Commission. He conceived that the observations of the hon. Member for Halifax (Mr. Stansfeld) had reference more to an improvement in the present mode of keeping the accounts than to the question whether or not the present constitution of the Board of Admiralty was satisfactory; and he believed that the House would be carried very far from the original object of the Motion if the discussion were to be limited exclusively to the financial points raised in the course of that day's debate, or to any one single branch, however important, of this great subject. He therefore wished to recall the attention of the House to the question before them—whether it was desirable that now, on the 24th of June, they should appoint a Committee to revive the inquiry which was commenced two years ago. The hon. Member for Evesham and the hon. and gallant Member for Wakefield (Sir John Hay) both admitted, that to commence an inquiry of that kind on the 24th of June would be a very hopeless task; but, nevertheless, they both said that they were prepared to vote for the Motion. For himself, he had arrived at a different conclusion, and did not think it desirable to give a delusive vote in favour of the immediate appointment of the Committee. At the same time, he must go further, and say that he must reserve to himself the right of determining hereafter whether or not he would vote with the hon. Member for Glasgow, if that hon. Member should be disposed at the commencement of next Session to move for a Committee; and for these reasons:—He was one of those who, two years ago, recommended that there should be a Committee on the constitution of the Board of Admiralty, and he gave notice of a Motion on the subject, and it was only by accident that he did not propose the Motion. However, a Motion to the same effect was carried, and a Committee was appointed which sat for one Session, and he confessed that he was sorry that the Committee was not revived at the commencement of last year. That Committee made no Report, not from any wish to avoid making a Report, but because the Committee broke up at the end of the Session under the full persuasion that they would be re-appointed at the commencement of the next Session. In that expectation they were disappointed, and therefore no Report emanated from them. Nevertheless, it appeared to him that it would be inconvenient now, after an interval of two years, to appoint a new Committee on this subject, and to have the question investigated *de novo.* Though he regretted that the inquiry was not made more complete at the time, still there was no disputing that the blue-book did contain abundance of materials from which the Government, if so disposed, might proceed to make any changes in the constitution of the Board of Admiralty which they might deem advisable. He was not disposed to detain the House by a repetition at any length of those opinions which, as a witness, he expressed before the Committee; but he thought it right to state that he had seen no reason to change those opinions. They were given with most sincere diffidence on his part, and under circumstances of considerable disadvantage. The Duke of Somerset gave evidence before the Committee with great ability and with complete knowledge of all the details of his office, and no one acquainted with the complicated duties of the Admiralty could have heard that evidence without being struck by the complete mastery of details which it manifested. The noble Duke was followed by Sir James Graham, one of the highest authorities on this subject. It was impossible to receive evidence from persons entitled to greater weight; and consequently, when after them he appeared as a witness, he did so not only with disadvantage, because he was unable to compare his powers with theirs, but because his tenure of office had been much shorter. He then stated, what he still believed, that the constitution of the Board of Admiralty was not satisfactory; and that there was a disadvantage in the absence of that concentrated responsibility which he held to be essential for the fulfilment of the duties of one of the highest Departments of the State under a Parliamentary Government. Moreover, the administration of the affairs of the Department fluctuated, more or less, according to the views of the individual statesmen who happened to be at the head of it for the time being. He believed that in some cases the Board worked very well, but there were other cases in which it worked badly. Whether A or B was at the head of the Admiralty was a question utterly unimportant to the public. What they wanted was security for good administration, and it was no satisfaction to the public, if the system worked badly under one chief, to be told that it worked well under another. In the mode in which the Board conducted its business, and in the way in which it was constituted (it being composed of six gentlemen who sat round a table and were all equal), there was obviously danger in the absence of that security for continuous good administration which the public had a right to expect in every department of the State, and he strongly doubted whether the successive men who held the office of First Lord took precisely the same view of the power under which they acted and of the degree of their responsibility. He owned he would attach much greater weight to Sir James Graham's opinion in favour of the present constitution of the Board of Admiralty if he had not become aware that Sir James Graham, within twelve months of the very day when he expressed that opinion, had himself delivered a directly opposite opinion in reference to the mode of constituting the War Office and to the government of the army. Now, he frankly admitted that in consequence of recent experience in respect to the War Office, there was abundant proof that it was far easier to find fault with the existing arrangement of a great Department than to devise how it should be best altered and re-arranged; but this consideration formed no sound reason why persons should not state their opinions on the subject. He wished to recall to the recollection of the House the opinion of Sir James Graham, as expressed to the Committee on Army Organization, and extracted from a draught Report drawn up by Sir James Graham himself. [The right hon. Baronet here quoted a portion of the Report in question, which condemned the proposition to constitute a Board as a retrograde measure, distributing instead of concentrating responsibility, and which declared that a Board would only work well when the head of the Board acted so far alone as to assume the whole responsibility.] Those were the words of Sir James Graham in 1860 with regard to a Board as a machine for the government of the army, and why, then, should this bad machine be bolstered up for the government of the navy? The hon. and gallant Member for Gloucester (Captain Berkeley), in a very brief speech, supported the present constitution of the Board of Admiralty; and his chief reason for doing so was, because two naval officers had declared before the Committee their admiration of that Board. But it should be borne in mind that only one of those two distinguished officers—Admiral Bowles—had been connected, and that only a short time, with the Admiralty; whereas Sir George Cockburn, who held the office of Lord of the Admiralty for sixteen or seventeen years, had published his opinion, that unless the constitution of the Board were changed, the day was not distant when some calamity would occur to the country in consequence of the defective constitution of the Board. He knew the difficulties of the question, but the machinery of the Board of Admiralty was so defective that he was sure that they would never dare to apply it in a new case, and he hoped that the day was not distant when the evils arising from the constitution of the Board of Admiralty would be corrected. He had never denied that professional advice was essential to any Minister placed at the head of the navy, but it did not follow that that advice was to be had only under the present system. He thought that system might be very much improved, but he must express a hope that at the present late period of the Session the hon. Member for Glasgow would not press his Motion to a division; but, if he thought there ought to be another Committee, renew his Motion at the commencement of next Session.

Sir FRANCIS BARING said, he could fully corroborate the statement of the right hon. the Member for Droitwich, that the reason why the Committee did not make a Report was that it felt that it had not concluded its inquiry, and expected to have been re-appointed at the commencement of this Session. It was perfectly idle to suppose that the appointment of such a Committee as was now asked for at that period of the Session could come to any practical conclusion, or produce any good fruits in the ensuing year. He should suggest to the hon. Gentleman the propriety of withdrawing his Motion, and of renewing it at the beginning of the next Session. He had read the evidence already taken on the subject with great care and attention. They had had a very important inquiry on that subject, and he was free to admit there had been shown considerable neglect and impropriety in the carrying out of the accounts at that period. The Committee found fault with certain arrangements, had suggested remedies, and many of those remedies had since been applied. Before he had entered office, a Committee was appointed, at the suggestion of the late Lord Auckland, to inquire into the state of the dockyards, and several valuable recommendations were then made by Sir Richard Bromley, which were subquently adopted. Unfortunately, however, a certain check was omitted, in consequence of which some irregularities were committed, which were much to be regretted. He admitted that many blunders had been committed by the Board of Admiralty which were very discreditable to it. The House of Commons was, no doubt, very valuable for finding out any evils that existed in the public departments; but when they had made those evils obvious, they had better allow the matter to rest, merely throwing upon the Government the responsibility of remedying them. Now, the hon. Member for Halifax (Mr. Stansfeld) had proved that he had applied himself with great zeal to perform the dry duties intrusted to him. The hon. Member had shown, that as regards the accounts the recommendations of the Commission had been carried out. He admitted that the blundering and irregularities connected with them were discreditable to the Department, but it had not been shown that the system had not been carefully devised by the Admiralty. He was glad to hear that corrections were to be applied to some parts of the system which required it; but he did not think it was expedient for Parliament to prescribe remedies for such matters. When they had inquired into a subject of that kind, and pointed out the faults they had much better stop there, and leave to the Government the responsibility of correction. With regard to the constitution of the Board of Admiralty, although the Committee made no Report, they collected a mass of valuable evidence, from which people might draw their own conclusions. He had often been struck by the singular faculty which naval officers possessed of misunderstanding the administration of the Board. The arrangement was, that each had assumed the superintendence of a certain branch of business, with the advice of the practical officials; and that when he came to a question of more than ordinary gravity, instead of deciding it himself, he took the opinions of the whole Board in regard to it. Now, that plan was adopted in the Ordnance Office by a great man who had a peculiar talent for organization—the Duke of Wellington, and it was strongly recommended by a Committee of the House in 1848. It was introduced into the Admiralty by Sir James Graham, who, he could state, had never changed his opinion as to its practical utility. Many officers of experience had expressed themselves in favour of this method; and although Sir George Cockburn had taken a different view, it should be remembered, that while he was an officer of the highest ability, he had a particular dislike to any restriction on his own authority, and the plan which he suggested was one which nobody would adopt. People talked of the Board of Admiralty as though it were an unparalleled monstrosity; but look at the Treasury—was it not similar in its constitution? There were Lords of the Treasury as well as of the Admiralty, and the Chancellor of the Exchequer bore the entire responsibility of the former, as the First Lord did of the latter. Again, even the Cabinet was conducted in the same way. Each Minister took charge of a Department; but any very serious question was considered by all the Ministers in Council, and the responsibility of the Premier was akin to that of the First Lord of the Admiralty. At the War Office it was a frequent practice to have meetings between the Secretary of State and the Commander-in-Chief, at which the leading officials were present to advise, and such meetings approached very closely to the system of a Board. In France the Marine was managed not by a Board but by a Minister, and yet it excited just the same vague dissatisfaction among French naval officers that the Admiralty did among the members of the English service. It was one of the great mistakes of modern days to throw all the blame of any mismanagement or irregularity on the system instead of on individual officials. Now and then a job was committed, and everybody at once cried out, "Oh, it's not this one or that one with whom we find fault, but the system." In his opinion, it would be infinitely better for the House to leave the Government to manage their business in their own way, and to judge them by results, holding them strictly responsible for any misconduct. If a private yard built a ship, and did the work badly, would it be accepted as a valid excuse that the system of the yard was imperfect? Would not the answer at once be, "The system is your affair, not ours; we give you a certain commission to execute; and if you don't do it to our satisfaction, then we must go to some one else." The same rule should be applied to the Admiralty. If they did not act efficiently, they should be dismissed, and another set of men appointed. Parliament could not commit a greater mistake than to force a particular mode of administration on the Government, for by so doing they furnished a ready excuse for any failure. The Government would of course say, that if they had been allowed to conduct matters in their own way, the result would have been very different, and that it was not they, but the system prescribed by Parliament, which should be blamed.

Sir MORTON PETO concurred in the opinion that the hon. Gentleman who had introduced this Motion would be acting wisely by withdrawing his Motion and proposing it anew at the beginning of the next Session, when it would have a better chance of a full and impartial considera- had tion. He (Sir Morton Peto), however, had heard nothing that could induce him to think that such an inquiry as was asked for was useless or unnecessary. On the contrary, he was strongly in favour of an inquiry.

Mr. HENLEY said, that having had the honour to preside over the Committee to which so much allusion had been made, he thought it right to confirm what had been stated as to the termination of that Committee. The Committee was appointed under somewhat unusual circumstances. In the preceding year a Motion was made for a Committee; which was opposed by the Government. In the interval, however, that occurred between that time and the next Session a Report was made by a Commission, of which the hon. Members for Glasgow and Evesham were Members, and that Report condemned the constitution of the Board of Admiralty. But that was not all. The noble Lord the present Secretary to the Admiralty had also, in the preceding Session, presented a Bill of indictment against the Board of Admiralty, which was stronger in its charges than anything said by any one else. In fact, the noble Lord took the unusual course of pointing out a definite sum of money, which he stated was not accounted for, which could not be found, and of which neither Committees nor Commissions had been able to discover any trace. On a second application, the Government of 1861 said that they would agree to this Committee being appointed. Now he (Mr. Henley) had had great doubt as to the advantage of that inquiry, because it struck him that there was not evidence to prove that the nonfeasance or the malfeasance had arisen in consequence of the constitution of the Board. The navy had been passing through a period of transition. Sailing vessels had given place to steamers, paddles to screws, and wood to iron; there was much grumbling at the expense which had been incurred, and it was very easy, looking back with the experience of two or three years, to say that things might have been better managed. The Committee, however, entered upon the inquiry, and examined a considerable array of First Lords and other Lords of the Admiralty. In reference to that evidence, he could not pass by a matter alluded to by the right hon. Baronet the Member for Portsmouth and the right hon. Baronet the Member for Droitwich. He alluded to a quotation from the draft Report of Sir James Graham for the Committee on Army Organization—a quotation made apparently with a view of in some way deprecating the evidence of the lamented right hon. Baronet. Now words were curious things, and similar words might be used at different times meaning very different things. He (Mr. Henley) thought it impossible that the quotation read by the right hon. Baronet could be held to apply in any sense at all to a Board constituted as was the Board of Admiralty. His recollection of the words used on the occasion referred to by the late Sir Jamas Graham was this:—The late right hon. Baronet expressly said that such a Board would be a new experiment.

Now, it was evident by the use of the word "new," that Sir James Graham could not have meant to apply it to such a Board as that of the Admiralty, which had at its head a Cabinet Minister.

SIR JOHN PAKINGTON said, it was true that in the extract which he had read the word "new" occurred as applied to the army; but at an ealier period of the Report the late Sir James Graham referred to a suggestion of Lord Grey, that a Board should be constituted, to be presided over by a Cabinet Minister, on the model of the Board of Admiralty, and distinctly advised that no such Board should be constituted, condemning its machinery in the manner he had already stated.

MR. HENLEY said, it was quite clear that when the late right hon. Baronet used the words, "very much on the model of the Board of Admiralty," he might be referring to a thing not at all to be worked in the same manner. The hon. and gallant Member for Wakefield (Sir John Hay) sketched out a curious sort of plan. That hon. and gallant Gentleman told them that there ought to be thirteen departments, the heads of each to be responsible to the First Lord, and the First Lord to be responsible to the country. Now it appeared to him (Mr. Henley), that this plan would amount to a system of divided responsibility, and that that responsibility would be shifted from one shoulder to the other. He believed that the responsibility of the First Lord would be greatly weakened and shaken by such a system. It would, no doubt, be very gratifying to naval officers full of schemes and crotchets to be able to fasten on one official and insist on knowing why he would not do as they wanted; but that would be very far from advantageous to the public interests. The hon. Member for Evesham (Sir H. Willoughby) had told them how a whole string of officials did not know anything about an account which had never been kept; but there was nothing very wonderful in that. The hon. Baronet had now got the accounts, and rejoiced over them; but perhaps he would have to say, as a noble Lord had said elsewhere, that he could not make head or tail of them. He must, however, say that the hon. Member the Junior Lord had shown himself master of the details of his office by the very able and lucid statement he had made with regard to the accounts. Neither in the proposal of the hon. Member for Evesham, nor in that of the hon. Member for Glasgow did he see any guarantee for a more economical expenditure. The truth was, that the more minute and detailed the published accounts were, the more difficult was it to pick holes in the expenditure. An independent Member might make a stand against an extravagant total; but if he entered into small items, the officials, who knew the ground much better than he did, would be sure to baffle him. He had only assented to the Committee over which he presided because the Government had assented to it—he was therefore a dispassionate Member of it. The inquiry had not been exhausted when the Session broke up. The end of the Session arrived before it could take the evidence of officers of the Board, and in the following year neither the hon. and gallant Member who had originally moved for it, nor the Government, proposed its re-appointment. For his own part he did not feel disposed to take part in the matter, either on one side or the other. He did not think that such an inquiry should be instituted unless on grave public grounds, and with more definite views than appeared to prevail on the present occasion. There had been much abuse of the Admiralty, but nobody had any definite plan to propose in its stead. If the Government believed the Department as now constituted was capable of performing its duties efficiently, they ought to come forward manfully and say so, and not expose the Board to these constant attacks and inquiries. If, on the other hand, the result of the investigations had led the Government to think that any changes would be beneficial, then they ought to make them. He quite concurred in the observations of the right hon. Member for Portsmouth (Sir. F. Baring) as to the mischievous consequence of always exculpating the officials at the expense of the system. It was a mealy-mouthed way of finding fault to say it was the system that was wrong, instead of boldly collaring the men who were the real culprits. In the evidence taken by the Committee there was abundant proof of nonfeasance and malfeasance; he meant evidence that affairs might have been better managed, and did not impute dishonesty of intention. But there was no proof that there would have been any improvement if the form of administration had been different. With all its faults and shortcomings, the Admiralty had not broken down when the pinch came. During the Russian War our vessels were in the Baltic at least a month before the French, and Admiral Seymour had stated that the crews of our ally were much rawer seamen than our own. This was the only consolation which he derived from that investigation. He hoped the hon. Member would not on this 24th of June compel the House to divide on the Motion, because by the time a Committee got upstairs they would have to come down again.

Sir JAMES ELPHINSTONE said, that in considering the management of affairs at the Admiralty he had always endeavoured to judge of the tree by its fruits. We had now some twenty-two iron-clad ships; but there was not a single man-of-war among them. Nor could he help alluding to the defective construction of our ships and the difficulty experienced in manning them. The recent Committee, presided over by the right hon. Member for Oxfordshire (Mr. Henley), stopped short at the very threshold of its labours, and further inquiry was absolutely necessary. He therefore hoped, that if the hon. Member for Glasgow withdrew his Motion now, he would renew it early next Session. Let the House remember the declaration of Sir George Cockburn—one of the very highest authorities—that under the existing constitution of the Admiralty it was perfectly impossible to carry on naval affairs with any degree of satisfaction.

Mr. DALGLISH said, that in compliance with the general wish he would ask leave to withdraw his Motion. He would congratulate the Admiralty on their acquisition of the hon. Member for Halifax (Mr. Stansfeld). The hon. Gentleman's statement had been clear and intelligible, and, up to a certain point, convincing. He begged to suggest, that in addition to the other papers about to be produced, there should be laid on the table an account showing the cost in gross of each separate article manufactured in our dockyards. He denied that his constituents in Glasgow had urged him to bring forward his Motion because the Admiralty had not given them any orders for the construction of ships during the past year. He hoped that no hon. Member would ever be deterred from suggesting public improvements merely because his constituents might participate in the benefits resulting from them. Some few years ago the making of engines for the Admiralty was confined to one or two firms. A change was introduced by the right hon. Member for Droitwich, who increased the number of houses obtaining orders from the Admiralty; and the result had been a reduction in price from £62 10*s.* to £50. He should be glad to gratify the right hon. Member for Oxfordshire by laying a definite scheme for the improvement of the Admiralty before the House; but he wanted in the first instance to get all the evidence he could, not only as to where the evil existed, but as to how that evil could best be remedied. Of course, however, it was now too late to enter upon such an investigation, and in deference to the generally-expressed wish of the House, he begged to withdraw his Motion, giving notice of his intention to renew it at the beginning of next Session.

Motion, by leave, *withdrawn.*

LEASES AND SALES OF SETTLED ESTATES ACT AMENDMENT BILL.

[BILL 119.] SECOND READING.

Order for Second Reading read.

Mr. COX, in moving the second reading of this Bill, said, that a clause had been inserted in the Act of 1856, for the express purpose of depriving Sir Thomas Wilson of his power of leasing his settled property, a part of which comprised Hampstead Heath. The object of the present Bill was to restore to Sir Thomas Wilson the rights possessed by every other Englishman, by striking out the clause which hadbeen so oppressively introduced. But inasmuch as he (Mr. Cox), as a metropolitan Member, who had always maintained the right of the London public to use Hampstead Heath, would be one of the last persons in the world to permit the inclosure of that spot of ground, he had inserted in the Bill a clause exempting from its operation all open lands used for purposes of public recreation and health within seven miles of London and two miles distant from other towns. The Bill would thus do two excellent things—it would do an act of justice to a gentleman who suffered severely from the present Settled Estates Act, and it would secure to the public the enjoyment of Hampstead Heath and other uninclosed grounds in its neighbourhood.

Motion made, and Question proposed, "That the Bill be now read a second time."

Viscount ENFIELD proposed, as an Amendment, that the Bill should be read a second time that day three months. He did so upon two grounds—first, because he thought Parliament should not be asked to reverse its previous decisions on the subject; and secondly, because it was highly inexpedient that a public Bill should be introduced and passed to serve a private object. He doubted, moreover, whether the Bill would have the effect that the hon. Member anticipated. If they were to repeal the clause whereby Sir Thomas Wilson was prohibited from leasing Hampstead Heath, of course Sir Thomas Wilson would exercise that power, and he feared the exception would prove inoperative.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Viscount Enfield.*)

Mr. AYRTON said, the House had been guilty of an act of injustice to an individual for the benefit of the public. Sir Thomas Maryon Wilson was possessed of property at Hampstead Heath and elsewhere. He had sought Parliamentary powers to deal with the whole of his property, and Parliament had refused to give him those powers. He understood, however, that Sir Thomas Wilson had now resolved to treat the question of the leasing of Hampstead Heath as distinct from that of the rest of his property. Upon that understanding, and feeling the injustice that had been done, he was prepared to support the Bill. No doubt there was some inconsistency in the House dealing with a private matter by a public Bill; but that was owing to the peculiar circumstances of a public Act having been passed to meet the case of a private individual.

Mr. DOULTON thought the Bill open to the same objections as previous Bills which had been brought forward with a like object, and which the House had uniformly rejected. The practical result of the Bill would be the inclosure of Hampstead Heath. He denied that the hon. Member for Finsbury (Mr. Cox) represented the opinion of the metropolis in his promotion of this Bill. He would remind the hon. Member that the Metropolitan Board of Works, which might be supposed to represent metropolitan opinion, had unanimously decided against any proposition like the present.

Mr. HANBURY said, he must remind the House that Sir Thomas Maryon Wilson had the property at Hampstead Heath devised to him, expressly debarred from the power of granting leases. There could be no possible injustice in not giving him a power to which he had no claim.

Mr. ALCOCK said the House had ten or eleven times refused to give the power now sought for. It was true that the Bill did not propose to give leasing powers over the Heath itself; but if houses were built around the Heath, the public would be deprived of the lovely views the equal of which, except from Richmond Hill, were not to be found in the vicinity of the metropolis.

Sir MORTON PETO had voted against the previous Bills, because under them Hampstead Heath would have been inclosed. But he thought Sir Thomas Maryon Wilson was unfairly dealt with with regard to his other property, and this unfairness the Bill would remove. Sir Thomas Wilson was not a young man, and at his death the restriction on building on the property would be removed. But by this Bill the public would be protected in their enjoyment of Hampstead Heath, while justice would be done to the individual; and he hoped it would be passed.

Sir JOHN SHELLEY had never been able to see the injustice complained of. The father of Sir Thomas Wilson had great respect for Hampstead Heath, and, when dividing his property, he left his Charlton estates to the present Sir Thomas with power of leasing; but he left the Hampstead property without power of leasing. If property was left to a person upon restrictions, there was no injustice in continuing those restrictions during his life. He trusted the House would refuse to reverse its former decision.

Question put, "That the word 'now' stand part of the Question."

The House *divided:* — Ayes 24; Noes 78: Majority 54.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Second Reading *put off* for three months.

POOR LAW BOARD CONTINUANCE BILL.

On Motion of Mr. Gilpin, Bill to continue the Poor Law Board for a limited period, *ordered* to be brought in by Mr. Villiers and Mr. Gilpin.

Bill *presented,* and read 1°. [Bill 163.]

LOAN SOCIETIES BILL.

On Motion of Mr. Bruce, Bill to make perpetual an Act to amend the Law relating to Loan Societies, *ordered* to be brought in by Mr. Bruce and Sir George Grey.

Bill *presented,* and read 1°. [Bill 185.]

House adjourned at half after Five o'clock.

HOUSE OF LORDS,

Thursday, June 25, 1863.

MINUTES.]—PUBLIC BILLS—*First Reading*—Land Drainage (Provisional Orders)* (No. 160); Inclosure (No. 2)* (No. 161); Thames Embankment (South Side)* (No. 162); Passengers Act Amendment* (No. 163); Pier and Harbour Orders Confirmation* (No. 164).

Second Reading—Waywardens' Contracts [H.L.] (No. 148); Naval Medical Supplemental Fund Society Winding-up-Act, 1861, Amendment (No. 102); Sale of Mill Sites, &c. (Ireland)* (No. 105); Drainage and Improvement of Lands (Ireland) (No. 136), *and referred to Select Committee.*

Select Committee—Drainage and Improvement of Lands (Ireland) Bill (*List of the Committee*).

Committee—Leases and Sales of Settled Estates Act Amendment (No. 42 & 158); African Slave Trade Treaty* (No. 129); Volunteers (No. 140); Officers of Royal Naval Reserve* (No. 131); Inland Revenue* (No. 128); Militia Pay*.

Report—African Slave Trade Treaty*; Security from Violence* (No. 157); Inland Revenue*; Militia Pay*.

Third Reading—Thames Embankment (North Side)* (No. 151).

WAYWARDENS' CONTRACTS BILL [H. L.] (NO. 148) SECOND READING.

Order of the Day for the Second Reading read.

LORD REDESDALE, in moving the second reading of this Bill, said, his object was to prevent waywardens from contracting for any works within their own districts, which were under the control of the Board of which they were members.

Moved, That the Bill be now read 2^a.

LORD STANLEY OF ALDERLEY said, he was informed by the Home Secretary that the Bill was entirely unnecessary, as the case was provided for in the Highways Act, by which such contracts were prohibited under a penalty, and the Highways Act of last Session provided that all qualifications and disqualifications of surveyors of highways and waywardens which existed under the old law should continue in force.

LORD REDESDALE was perfectly convinced the Home Secretary was in error. The Highways Act provided that all powers, duties, rights, and incapacities which formerly attached to surveyors of highways should attach to the Highway Board, but it did not say that the incapacities should attach to each individual member of the Board; because, if so, the duties would also attach to each member, and the whole management would be thrown into utter confusion. At all events, the Bill could do no harm if it were passed, and it might accomplish what was intended but had not been effected.

EARL GRANVILLE said, there would be no objection to read the Bill a second time on the understanding that the opinion of the Law Officers should be obtained before the next stage.

Motion *agreed to*: Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

LEASES AND SALES OF SETTLED ESTATES ACT AMENDMENT BILL [H. L.]—(No. 42.

COMMITTEE.

House in Committee (according to Order): *The Lord Chancellor.*

LORD CHELMSFORD moved the insertion of a short clause repealing the 21st section of the Act of 1856.

After a few words from Lord EBURY, the Clause was *agreed to.*

THE LORD CHANCELLOR proposed a new Clause—

"It shall be lawful for the Court of Chancery, at any time, and from time to time, by an order to be obtained on petition in a summary way, of any trustees or trustee, or other persons or person now or hereafter having authority, either by way of trust or power, or otherwise, to mortgage, sell, exchange, make partition of, or enfranchise any settled estate, to extend or vary such authority in such manner as, having regard to the local or other circumstances of the estate, and the permanent interests of all persons entitled and to be entitled to such settled estate, shall appear to the Court to be expedient, and so that the Court may appoint in lieu of such person or persons any other person or persons to exercise any such authority, or to receive the consideration money (if any) payable on any such mortgage, sale, exchange, partition, or enfranchisement, or any part of such money, and may make such orders for the investment, application, or disposition of such money as the Court shall think fit; and every order made as aforesaid shall enable the donee or donees of such authority to exercise the same, as so extended or varied, either with, or, if the Court shall think fit, without the approval or further sanction of the Court, and shall not prejudice the right to exercise such authority in its original form; and any such extension or variation as aforesaid may include the sale, or, if the Court shall approve, the gratuitous alienation of portions of the settled estate for the construction of railways by incorporated companies, and for the investment of any money received as aforesaid in subscribing for or purchasing any shares in railway companies; provided that such railways or railway shall in all cases be so situated, planned, or constructed as that the present or future existence thereof does or will considerably and permanently increase the value of such settled estate."

LORD ST. LEONARDS said, he should oppose the clause. Everything in these days was to be done by the Court of Chancery. Now, this Court had its own duties to perform; and if business was transferred to it which was not properly within its province, great injury would be done to the administration of justice. The clause enabled the tenant for life, or any person having an interest in settled property, to go to the Court of Chancery, and ask the Court to appoint new trustees who might have the power to sell the settled estates. Where such property was sold, care was usually taken that the money should be laid out in the purchase of other estates of like qualities and settled to the like uses. But here the Court of Chancery was to be empowered, if it thought fit, to allow the trustees to sell, or to give the settled property to a railway company. Under such a power the interests of the remainderman might be seriously prejudiced, and he hoped therefore that the clause would not be agreed to.

LORD CRANWORTH said, that experience of the working of the Act which had been passed while he held the Great Seal proved that the only danger to be guarded against was any possible injury to parties beyond the entail. The proposition of his noble and learned Friend (the Lord Chancellor) was simply, that if the Court of Chancery thought it would be for the benefit of the parties interested in the estate that railways should be made, power should be given to the person in possession to give or to sell a portion of land for the purposes of the railway, the proceeds of any sale to be invested in shares of the railway. Whether the power to give the land should be conferred might be questioned, but the amount would be so small that no injury could be done to the estate. In certain cases the power to assist the formation of railways would greatly tend to the benefit of the estate. He thought the clause would be very useful if modified a little, and more happily worded.

LORD PORTMAN objected to the clause altogether. He thought that the interests of the remainderman were not sufficiently protected; and he saw no means by which it was possible for the Court of Chancery to ascertain how the value of an estate would be increased by a particular railway; and he objected to power being given to mortgage estates under such circumstances. If the matter were one which should be dealt with at all, it should certainly be dealt with by a general Bill regulating the way in which estates should be encumbered for various purposes besides making railways.

THE LORD CHANCELLOR defended the clause, which had been drawn in accordance with the recommendation of the Select Committee.

EARL GREY said, he was perfectly certain that the more this subject was considered, the more desirable it would be felt that the power proposed to be given should be granted. Experience showed that it was perfectly practicable to estimate the increased value given to land by the proximity of railways. There was so general an opinion entertained in the Select Committee that the object now proposed should be provided for by a public and not by a private Act, that he trusted their Lordships would affirm the principle of the proposed clause.

EARL POWIS thought the existing powers vested in trustees rendered such a clause as this unnecessary.

LORD TAUNTON made a few observations which were not audible, but was understood to support the clause.

THE LORD CHANCELLOR said, that after the discussion which had taken place, he thought it would be advisable to withdraw the clause, in order that an enactment having the same object might be brought forward in another Session in a better and more convenient form.

Motion (by leave of the House) *withdrawn.*

Report of the Amendment to be received *To-morrow*; and Bill to be *printed* as amended (No. 158.)

NAVAL MEDICAL SUPPLEMENTAL FUND SOCIETY WINDING-UP ACT (1861) AMENDMENT BILL—(No. 102.)

SECOND READING.

Order of the Day for the Second Reading read.

Moved, That the Bill be now read 2^a: (*The Duke of Somerset.*)

LORD CHELMSFORD said, it seemed somewhat unfair, there having been a trustee appointed two years ago in the interests of the annuitants of the fund, now to propose, that if the trustee happened to be removed in any way, the annuitants were not to have the power of appointing his successor, but that he should be appointed by the Admiralty. Such a proposal was, he thought, contrary to the understanding on the subject in 1861.

The Duke of SOMERSET suggested that before the next stage of the Bill some arrangement might, perhaps, be entered into between the parties concerned which would obviate the objection of the noble and learned Lord.

Motion *agreed to:* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

VOLUNTEERS BILL—(No. 140.)

COMMITTEE.

House in Committee (according to Order): (*The Earl de Grey.*)

Clauses 1 to 34 *agreed to.*

Clause 35 (8 & 9 *Vict.*, cc. 18 & 19 incorporated).

The Duke of RICHMOND said, that in moving the rejection of this clause he did so without any feeling of hostility towards the great Volunteer movement. But if the movement was as popular as they were all bound to admit it was, a bad compliment was paid to it by asking for compulsory powers in order that the various Volunteer corps might obtain practising grounds. For this purpose it was proposed to give Lords Lieutenant an arbitrary and unusual power, which few of their Lordships would be willing to have conferred upon them, and still fewer would be willing to exercise. The Secretary for War might refer to the Defence Act; but it was not a parallel case, as it only related to the coast defences of the country. So far as he had heard, there was no ground for coming to Parliament for such compulsory powers. It had not been shown that Volunteer corps were less efficient, or that any practical inconvenience had arisen from the want of them. With regard to the persons whose property was to be taken, he did not think, that after the Lord Lieutenant had recommended the taking of the ground, and the Secretary for War had certified in its favour, the owner would have much chance of offering a successful opposition to the measure when it came before Parliament for its sanction. The clause provided that the ground should be selected with due regard to the "safety and convenience of the public;" but the owner, to whom the target practice might be very unsafe and inconvenient, was entirely overlooked. If there was any evil to remedy, which he doubted, it was so small that it did not warrant such an interference with the rights of private property, and he should therefore move the omission of the clause.

Earl De GREY and RIPON said, he was not surprised that this clause should have attracted attention, but he thought the noble Duke was in error in supposing that the main responsibility would be thrown upon the Lord Lieutenant. The Lord Lieutenant's certificate was merely required with a view to provide additional security that no land should be taken unnecessarily. According to an Amendment which he had introduced, there was to be a certificate—

> "That a safe and convenient ground for shooting and drilling cannot be obtained by the corps, within a reasonable distance of the head-quarters of the corps, unless the land mentioned in that behalf in the certificate is taken compulsorily."

After the certificate was given a Petition would be presented to the Secretary of State, who would make inquiry in the same way as in the case of Provisional Orders under the Local Government Act. Having done that, he would make a Provisional Order, which would require the sanction of an Act of Parliament. The object of the clause was to render applications for private Acts unnecessary, and the question was whether the interests of the Volunteer corps required such legislation. No doubt, in country districts the necessity did not exist; but in the neighbourhood of large towns it certainly did. Thus, in the metropolis there were twenty-six corps whose practice range was the Government range at Woolwich, which they, of course, could only use when it was not wanted by the regular troops. The consequence was that these corps were debarred from proper opportunities of practice. Now, Volunteer corps ought to have special facilities for the practice of rifle shooting; for while Volunteers could not attain more than a certain amount of proficiency in drill, they were able, from their intelligence and the interest which most of them took in rifle practice, to acquire great proficiency with that weapon. So important was this proficiency considered that Parliament, on the recommendation of a Royal Commission, had lately decided that one-third of the grant — 10*s*. out of 30*s*. — should be dependent on the Volunteers undergoing a considerable amount of musketry instruction practice, involving the firing of a considerable number of rounds during the year. But in a great many cases in large towns it would be extremely difficult for Volunteers to obtain this sum, and to satisfy the requirements of the Government, unless they had means which they did not now possess for obtaining practice ranges. Some time ago an Act was passed giving facilities to Volunteer corps to obtain ranges voluntarily, but it had not resulted in their obtaining them. It appeared, therefore, to the late Sir George Lewis, whose opinion would have great weight with their Lordships, that these clauses were justified by the needs of the Volunteers, and were almost a necessary corollary of the Vote of Parliament, which was made to depend on the efficiency of the men as shots. The rejection of these clauses would, he believed, be regarded with much regret by a considerable portion of the Volunteer force, who were situated as he had described, and would interfere with their attainment of efficiency in the use of the rifle. At the same time, if the general opinion of the House was adverse to these clauses, he should not be disposed to insist upon their retention.

THE EARL OF DERBY hoped the noble Earl would consent to abandon the clauses. The powers asked for were unusual and extensive, and were an interference with the rights of private property of an extraordinary character which did not appear to be justified by any necessity. He would wish to know from the Secretary of State whether he expected that any great inconvenience to the Volunteer force would result from the abandonment of these clauses. If numerous cases could be shown in which it would be impossible for Volunteer corps to obtain practice grounds without the assistance of these clauses, then the House might be disposed to allow them to pass, objectionable as they were, even in their amended form. But if there was no absolute necessity for these clauses, he hoped they would be withdrawn, or at least postponed.

EARL GRANVILLE thought the clauses would be very useful, and would remind the House that similar powers were possessed by the regular army. But he would suggest to his noble Friend the Secretary for War to calculate the respective forces on either side of the House, and under these circumstances he would suggest the withdrawal of the clauses, his noble Friend reserving to himself the right, if it should be found necessary, to reintroduce them at some future time.

THE EARL OF DERBY said, he always had entertained a high opinion of the noble Earl's discretion, but he confessed he had never seen that discretion more remarkably exhibited than on the present occasion.

EARL DE GREY AND RIPON said, he would not press the clauses, but would propose Amendments on bringing up the Report to preserve to the Volunteers the permissive powers of the existing Act.

Clause *struck out.*

Clause 36 (Mode in which Certificate of Lieutenant and Act of Parliament obtained) *struck out.*

Remaining Clauses *agreed to.*

Amendments made: The Report thereof to be received on *Monday* next; and Bill to be *printed* as amended. (No. 159.)

OFFENCES (SOUTH AFRICA) BILL [H.L.].

Commons' Amendments *considered* (according to Order), and *agreed to.*

DRAINAGE AND IMPROVEMENT OF LANDS (IRELAND) BILL.

Read 2ª (according to Order); and *referred* to a Select Committee: The Lords following were named of the Committee; the Committee to meet on *Monday* next, at Two o'Clock, and to appoint their own Chairman:—Ld. Steward, E. Lucan, E. Belmore, E. Bandon, E. Harrowby, E. Stradbroke, V. Hawarden, V. Hutchinson, L. Ponsonby, L. Wodehouse, L. Somerhill, L. Dartrey, L. Lyveden.

House adjourned at half-past Eight o'clock, till To-morrow, a quarter before Five o'clock.

HOUSE OF COMMONS,

Thursday, June 25, 1863.

MINUTES.]—SUPPLY—*considered* in Committee —CIVIL SERVICE ESTIMATES.

PUBLIC BILLS—*Resolution in Committee*—Public Works (Manufacturing Districts) [Advances].

Ordered—Prisoners Removal (Scotland)*.

Second Reading — Augmentation of Benefices (*Lords*) * [Bill 134]; Police and Improvement (Scotland) (Provisional Order) * [Bill 184]; Costs Security * [Bill 126].

Committee—Newcastle upon Tyne (Saint Mary Magdalen Hospital) [Bill 162]; Howth Harbour * [Bill 175]; Stipendiary Magistrates, and *re-comm.* [Bill 189]; English Church Services in Wales (*Lords*) [Bill 190], *on re-committal*; Courts of the Church of Scotland (*Lords*)* [Bill 92], *on re-committal.*

Report—Newcastle upon Tyne (Saint Mary Magdalen Hospital) [Bill 162]; Howth Harbour* [Bill 175]; Stipendiary Magistrates [Bill 150]; English Church Services in Wales (*Lords*) [Bill 81]; Courts of the Church of Scotland (*Lords*) * [Bill 92].
Considered as amended—Harwich Harbour* [Bill 176].
Third Reading—Sir Robert Hitcham's Charity* [Bill 160]; Ruthin Charities * [Bill 161]; Walmer Vesting * [Bill 170]; Postmaster General (Sale of Land) * [Bill 174]; Port Erin Harbour (Isle of Man) * [Bill 123]; and severally *passed.*
Withdrawn—Poor Removal (No. 2) [Bill 96].

FORTIFICATIONS—THE EXHIBITION BUILDING.

NOTICE.

Sir GEORGE GREY: Sir, my noble Friend at the head of the Government, regrets that indisposition prevents him from being in his place this evening to bring on the subject of Fortifications, which is the first Order of the Day. He wishes to give notice that he will bring on that subject upon this day week, and he proposes, if time permits, to take the Vote for the purchase of the Exhibition Building at Kensington the same evening.

THE CHINESE INDEMNITY.

QUESTION.

Colonel SYKES said, he rose to ask the Secretary to the Treasury, How it is intended to appropriate the balance of nearly half a million of dollars of the first Chinese indemnity remaining in the Treasury; and whether any rejected claims will be re-considered?

Mr. PEEL, in reply, said, the question of those claims had been adjudicated upon many years ago, and he did not consider it desirable that they should be re-opened. The balance of the fund was, as stated by the hon. and gallant Member, nearly half a million of dollars. He could not say precisely how it would be appropriated: but most probably it would be applied towards defraying the expenses of the war.

POOR LAW IN IRELAND—INNISHOWEN UNION.—QUESTION.

Mr. HENNESSY said, he wished to ask the Chief Secretary for Ireland, Whether the attention of the Poor Law Commission has been called to the conduct of the Board of Guardians of the Innishowen Union, in refusing to allow a sick inmate of the workhouse, named Bernard M'Laughlin, half a pound of bread, which had been ordered by the medical officer as extra diet?

Sir ROBERT PEEL said, in reply, that the attention of the Poor Law Commissioners had been drawn to this case, and they had induced the Board of Guardians to supply the diet which the medical officer had required. When the medical officer first ordered this supply of extra food for this inmate of the workhouse, the Board of Guardians refused to supply it; but the matter coming under the notice of the Commissioners, they told the Board they would be labouring under a very heavy responsibility if they declined to acquiesce in the medical officer's order, and thereupon the extra diet was supplied.

EDUCATION IN SCOTLAND.

QUESTION.

Mr. DUNLOP said, he would beg to ask the Lord Advocate, Whether it is the intention of the Government to issue a Commission of Inquiry into the state of Education in Scotland; and whether, if so, the putting of the Revised Code in operation in that part of the United Kingdom will be postponed till the result of such inquiry be reported?

The LORD ADVOCATE replied, that he had made a communication to the Government with a view to the issuing of a Commission to inquire into this subject; but he was not able to hold out any prospect of such a Commission being issued. If such a Commission were to be appointed, he could not hold out the anticipation that the Revised Code would not be applied to Scotland.

CASE OF MARY ANNE WALKLEY.

QUESTION.

Mr. DAWSON said, he would beg to ask the Secretary of State for the Home Department, Whether his attention has been drawn to the case of Mary Anne Walkley, deceased, and the wording of the verdict delivered by the Coroner's Inquest empannelled to investigate the circumstances of her death; and if it would not be desirable and humane to introduce legislation for the purposes of limiting and defining the hours of labour in Millinery and other establishments were Females are employed? He was perfectly aware that the right hon. Baronet had given the utmost consideration to this case, but his reply to the question which had been put to him the other evening had led to very general disappointment. He would therefore venture to ask the right hon. Baronet why these establishments should not be placed under proper regulations as to hours, and as to registration and inspection, as the law now provided in the case of Factories, Mines, and even of Bakehouses, with regard to which there was a Notice on the Paper that evening. He would further ask, whether, if the Government were not prepared to introduce legislation on this subject, they would give their support to a Bill for defining and limiting the hours of labour, and regulating and inspecting workrooms, alike in the interests of humanity as for the sake of sanitary precaution?

MR. BAGWELL said, before the right hon. Baronet replied, he would beg to observe that a letter had lately appeared in the newspapers from a Mr. Isaacson, who it seems is the husband of Madame Elise, in which it is stated that this unfortunate young woman was an apprentice. He would therefore beg to ask the right hon. Baronet whether the Government are prepared to institute any proceedings with a view of punishing the guilty parties in this matter.

SIR GEORGE GREY said, in reply, that the answer which he had given the other evening to a similar question was rather of an argumentative character, and he feared he must repeat it. He was asked to say whether it would not be possible to regulate establishments where the work was carried on in private buildings in the same manner as those in public buildings prepared for particular manufactures. Without expressing a positive opinion, he then stated, that however desirable it might be to take precautions for the prevention of evils such as had been disclosed in the present case, he did not think it would be possible to establish a system of registration and inspection applicable to workrooms in private houses. The hon. Member for Londonderry (Mr. Dawson) now asked him whether the Government would support a Bill introduced by a private Member. Before answering that question it would be requisite that he should know what the provisions of the Bill were to be. If the hon. Gentleman himself asked leave to bring in a Bill, he would willingly acquiesce in its introduction. In reply to the question of the hon. Member for Clonmel (Mr. Bagwell), he did not know whether the girl upon whom the inquest had been held was, as stated in the newspapers, an apprentice. But supposing such to have been the case, the question arose whether there was sufficient evidence to go before a jury with any likelihood of obtaining a conviction. The words of the Act declared, that if any master or mistress, being liable to provide food, clothing, or lodging for any servant or apprentice, willfully neglected to do so, and danger to life or permanent injury to health resulted from such omission, the master or mistress so offending would be subjected, upon conviction, to severe punishment. The matter here would be entirely one of evidence, and he was not sufficiently acquainted with the facts to say whether there was enough to go before a jury with any reasonable prospect of a conviction.

MR. BAGWELL: Will the right hon. Gentleman inquire?

RELIGIOUS ENDOWMENTS (IRELAND).

QUESTION.

THE O'DONOGHUE said, he wished to inquire, What course the hon. Member for Swansea means to take with reference to his Motion for inquiry on the subject of Religious Endowments in Ireland? His hon. Friend and other hon. Members had done all they could to induce the Government to give a day, but without success. He would suggest that the hon. Gentleman should withdraw his Motion, as the Motion of the hon. Member for Liskeard (Mr. Osborne) upon the Irish Church stood first on the Paper for to-morrow.

MR. DILLWYN said, he should not allow his Motion to stand in the way of discussion, and he should therefore move that the Order for resuming the Adjourned Debate be discharged.

Order *discharged.*

THE FOREIGN ENLISTMENT ACT.

QUESTION.

MR. COBDEN said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether the Government will lay upon the table the Memorial which was presented last week from a respectable body of shipowners and Merchants in Liverpool, praying for an alteration in the Foreign Enlistment Act?

MR. LAYARD said, he should be prepared to answer the Question if it were put to-morrow.

MUSEUM OF IRISH INDUSTRY.

QUESTION.

Mr. COGAN said, he wished to ask the Vice President of the Committee of Privy Council, Whether any Correspondence has taken place between the Irish Government and the Department of Science and Art, or the Treasury, on the proposed abolition of the Museum of Irish Industry in Dublin; if so, whether in that Correspondence an opinion hostile to the proposed abolition of that institution has been expressed on the part of the Irish Executive; and whether he will lay that Correspondence upon the table of the House? He also wished to ask when the Report of the Commissioners appointed to inquire into the Scientinc institutions in Dublin, in connection with the Department of Science and Art, will be laid upon the table; and if he can state by what authority that Report is at present in circulation in Dublin before it has been presented to Parliament?

Mr. PEEL did not think it would be expedient to lay the Correspondence on the table of the House. The Report of the Committee had already been laid on the table. He could not explain how the Report obtained circulation in Dublin before it was presented to the House.

Mr. COGAN said, the Royal Dublin Society held a meeting that day for the purpose of considering the Report, although it had not been presented to the House. He would give notice that he should move for the production of the Correspondence.

THE DISPUTE WITH BRAZIL.

QUESTION.

Mr. BRIGHT said, he wished to know, Whether the Government will lay on the table the case submitted to the King of the Belgians in regard to the difference with Brazil, and also a Copy of the award which his Majesty has made?

Mr. LAYARD said, the award was only received yesterday. It would be printed at once, and laid on the table.

THE SCOTTISH UNIVERSITIES.

QUESTION.

Mr. STIRLING said, he would beg to ask the Under Secretary of State for War, If he will state the steps which must be taken by the Universities of St. Andrews and Aberdeen, in order that candidates for direct commissions who have taken the degree of M.A. in these Universities may obtain the exemption from examination under Clause 4 of the New Regulations, which his Royal Highness the Commander-in-Chief has been pleased to grant to candidates who have taken similar degrees in the University of Edinburgh?

The Marquess of HARTINGTON, in reply, said, the Universities to which the hon. Gentleman's Question referred, had only to make a formal and official application to the War Office, stating their case, in order to obtain the same privileges as the University of Edinburgh, and they would be granted.

UNEMPLOYED UNMARRIED WOMEN IN THE COTTON DISTRICTS.—QUESTION.

Mr. FERRAND said, he rose to ask the President of the Poor Law Board, Whether he has yet received the Return of the number of unemployed unmarried women in the Cotton Factory districts of Lancashire and Cheshire?

Mr. C. P. VILLIERS said, in reply, that the only way in which those persons were known was by seeking relief, and that relief was derived from two sources —one, the parishes; and the other, the Committees distributing voluntary relief. The only Returns which he (Mr. Villiers) could order would be from the parishes, but the only entry made in the parochial books was of unemployed women. There was none with respect to occupation. With respect to the Relief Committees—and there were 170 local Committees—the sex of the recipients was not entered in their books. The consequence was, that there would be great difficulty in getting the Return which the hon. Gentleman desired. He told the hon. Member on a former occasion that he would ascertain whether there was any possibility of obtaining that Return from the Voluntary Relief Committee; and, having made inquiries from the secretary, that gentleman said he would try, but the secretary informed him that up to Monday last he had not been able to get the Return asked for.

THE MALTA AND ALEXANDRIA TELEGRAPH CABLE.—QUESTION.

Sir WILLIAM GALLWEY said, he wished to ask the Secretary to the Admiralty, If directions have been sent to the Admiral in the Mediterranean to station a ast Steamer between Benghazi and Alexandria, as the Malta and Alexandria Cable has ceased working?

Lord CLARENCE PAGET said, in reply, that the day before yesterday a telegram was received from the Commander in Chief in the Mediterranean to the effect that the cable between Benghazi and Alexandria had been broken, and that application had been made to him to station a steamer between those two points. The answer of the Admiralty was, that it would be highly inconvenient that a vessel should be appointed solely to carry telegrams between Alexandria and Benghazi, a distance of between 300 and 400 miles.

THE MHOW COURT MARTIAL.—COLONEL CRAWLEY'S CASE.—QUESTION.

Mr. CONINGHAM said, he rose to ask the Under Secretary of State for War, Whether, subsequently to the Memorandum of the 18th of December, a second Memorandum or Letter embodying the opinion of the Commander-in-Chief on the Mhow Court Martial had not been issued; also, whether the proceedings alleged by Paymaster Smales to have taken place on his Court Martial were submitted to the Judge Advocate General in England for his opinion, and whether that opinion was obtained before the Paymaster was gazetted out of the service?

The Marquess of HARTINGTON said, that in reply to the first part of the Question he had to state that no second memorandum or letter embodying the opinion of the Commander-in-Chief on the Mhow Court Martial had been issued; no public memorandum, at least. With regard to the second part of the hon. Member's Question, its terms were so extremely vague and indefinite that he did not think he should be justified in giving any answer. The hon. Member did not state to what "proceedings alleged by Paymaster Smales to have taken place" he referred. [Mr. Coningham: The illegal proceedings.] The word "illegal," it would be observed, was not upon the paper. If the hon. Gentleman wished to have a specific answer to his Question, he must be good enough to state what the illegal proceedings were to which he referred, and how these had been alleged by Paymaster Smales.

Mr. BENTINCK said, he would beg to ask his noble Friend a question on the subject. It might be in the recollection of the House that a few days before he had asked his noble Friend if he was able to state whether there was any precedent for holding a Court Martial in this country upon proceedings which had taken place in India. His noble Friend said he was not aware of any precedent on the subject. He now wished to ask his noble Friend, whether he had in the interval discovered that any such precedent existed; and, if not, to state whether the proposed course of proceeding did not involve a reflection upon, if not an insult to, the officers of the Indian army?

The Marquess of HARTINGTON: I am not aware at the present moment that there is any precedent for the action taken by the Government in this case. I certainly cannot state as a matter of fact, but I can give it as my opinion, that this course of proceeding will not involve either any reflection or any insult upon the Indian army.

Sir DE LACY EVANS observed that the noble Lord had stated that no "public" memorandum subsequent to that of the 18th of December "had been issued." Was the House, then, to infer from that that possibly some communication or memorandum not of a public character had been issued, which had not been produced?

The Marquess of HARTINGTON: The Commander-in-Chief may have written privately to Sir Hugh Rose on this subject; but, if so, the communication has been wholly of a private nature, and such as I am unable to produce.

Mr. CONINGHAM said, he wished to ask whether he was to understand that the noble Lord did not like the form of the question, or whether he declined to state whether the proceedings of the court martial were submitted for his opinion to the Judge Advocate General?

The Marquess of HARTINGTON said, that before he answered the question he must beg the hon. Member to state what the proceedings were to which he referred —either to state what was their purport, or describe where they were to be found.

Colonel NORTH said, that the question was not one of illegality. He begged to call the attention of his noble Friend to this, that two verdicts of these courts martial had been published. ["Order!"] He would beg, then, to move the adjournment of the House. The case was a very serious one. He had sat upon a great many courts martial; and he wished to ask how it was possible, if the proposed court martial were held in England, to bring over from India all the evidence which they ought to have before them. It was a positive reflection upon the officers of the Indian service to suppose that there could not be found in India a sufficient number of officers whose honour could be depended upon to conduct the necessary inquiry fairly. It would be necessary to bring over Sir Hugh Rose and the other general officers concerned in the case. He did not know Colonel Crawley, but he must say, he thought the hon. Member for Brighton had behaved very unfairly towards that officer the other evening. The hon. Member for Brighton the other evening produced and read to the House—

MR SPEAKER said, the hon. and gallant Member was out of order in referring to a past debate.

COLONEL NORTH : He would then merely state that there were two versions of the proceedings at the court martial on Paymaster Smales —one published at Poonah, the other from the Judge Advocate's notes. He wished to know which of these versions was to be laid on the table. He hoped, in fairness to Colonel Crawley and all concerned, that the proper official proceedings would be laid upon the table.

MR. HEADLAM said, that the original record of the proceedings was in his office, and he had no knowledge of any other copies. An official copy of that record would be laid on the table.

MR. CONINGHAM, in seconding the Motion for adjournment, said, he wished to observe, by way of exemplifying the sort of illegality of which Paymaster Smales complained, that when he was placed on his trial, his witnesses were impounded, and he was unable to have access to them for the purpose of preparing his defence. There were several instances, and he only mentioned that as one of them.

Motion made, and Question proposed, "That this House do now adjourn."—(*Colonel North.*)

MR. DISRAELI : There is one point on which, I think, some explanations are due from the Government—I mean with regard to the expenses of this inquiry. I do not know whether Colonel Crawley is to be burdened with these expenses. But there is a more important consideration with regard to the administration of justice than even these expenses—with regard to the country itself—which I think ought to be considered. When these witnesses are brought over to this country, they will be in the presence of each other, and of many other persons. Probably the Commander-in-Chief in India and other officers in command will be required. This will cause an amount of expenditure of which the House has at present no idea. I will not say that the trial will last as long as that of Warren Hastings, but it will last much longer than hon. Members suppose. This is a consideration which I think ought not to be absent from the mind of the House.

SIR GEORGE GREY : The Commander-in-Chief has directed that the inquiry shall take place in England. I apprehend, that if any officer is ordered home by the military authorities from any part of the world, he is considered to be on duty and receives his pay.

SIR DE LACY EVANS said, he differed altogether from the opinion, that if the court martial were held in England, it would be necessary to summon the Commander-in-Chief from India. All that Sir Hugh Rose and General Farrell did was to make a written communication on the subject of the court martial. The Commander-in-Chief was not one of the actors or witnesses, and he saw no valid reason for requiring his presence in this country. But he felt sure the country would not be satisfied unless the trial took place in England. Nor was any considerable expense, in his opinion, likely to be incurred. He humbly thought that the Government ought to commence the matter by ordering the regiment home. The regiment was alleged to be in a bad state, its term of service in India was nearly expired, and the only consideration was the expense, which need not be very great?

MR. E. P. BOUVERIE said, he regretted that the discussion had been raised in so incidental a way. It would be much better if hon. Members would give notice of such questions, so that the House might have an opportunity of expressing an opinion. He wished to know distinctly, whether any communication had been addressed by the Commander-in-Chief to Sir Hugh Rose through the Adjutant General, the purport of which was to qualify the memorandum that had been laid on the table of the House?

MR. BENTINCK said, the question before the House was more military than civil. The hon. and gallant Member (Sir De Lacy Evans) proposed that the regiment in question should be ordered home for the purpose of carrying on the court martial. ["No!"] Then, for what other purpose? What would be the consequence? It would amount to a premium on misconduct. A regiment would only have to misconduct itself sufficiently to give occasion for a court martial, and then it would expect to be immediately ordered home. That would be a remarkable way of conducting the affairs of the army. The hon. and gallant Member added that the people of this country would not be satisfied unless the court martial were held in England. Now, as one of those who had the honour of a seat in that House as a representative of the people, he would express his belief that all that the people of this country had a right to require, and all that they would ask, was that justice should be done on both sides. He ventured to think it would be impossible for justice to be done if a tribunal were to try in this country proceedings that had occurred in India. It was obviously necessary that a hundred witnesses should be ordered home, and it would be impossible to do justice to both sides. Notwithstanding what had fallen from the noble Lord, it was quite impossible that a course which appeared to be entirely without precedent should be adopted without offering a strong reflection, if not a positive insult, on the officers of the Indian army.

COLONEL DUNNE said, the 8th Regiment was the first to come home, but that only nine months would elapse between the return of the 8th Regiment and the Inniskillings. As the expense had been alluded to, he would remark, that if the Government would change the rota, and order home the Inniskillings instead of the 8th, there would be no difficulty in regard to expense. At the same time, that kind of interference with the discipline of the army was most prejudicial to the service. He knew that some of the stories which had been circulated in regard to the conduct of Colonel Crawley had been extremely exaggerated. The House had been told that Seregant Major Lilley was confined to one room, and that a sentry was put in his room. He believed that the sergeant major had a house of four rooms, and that the sentry was placed in the verandah, because in India sentries could not be placed in the sun. He thought that Paymaster Smales had been most properly dismissed the service for writing a most insubordinate letter. It was not the practice, he was informed, for commanding officers of regiments to muster their regiments in India. An officer, now a Member of that House, who had served in India, stated that it was not the custom to do so. A great deal had been said by the public press on the matter, but the House ought to yield, not to the public voice, but to the voice of justice.

MR. HUNT said, he wished to ask whether it would be necessary to examine any native witnesses before the court martial; and, if so, whether any law existed which obliged them to come to this country for such a purpose against their will.

THE MARQUESS OF HARTINGTON was unable, without notice, to answer the question just addressed to him. It was impossible to say what course the court martial would take. If the right hon. Gentleman (Mr. Bouverie) would put his notice on the paper, he would answer it another day. He apprehended, however, that he should be compelled to repeat the answer which he had given on a previous day, that there was no public or official memorandum in existence on the subject except that which had been published. The hon. Member for Brighton had stated one portion of the proceedings taken against Paymaster Smales which he alleged was illegal. If, however, he was expected to answer questions of that kind, he must request hon. Members to state distinctly on the Notice Paper what they wished to know. In his opinion what had taken place showed the extreme inconvenience of discussing topics in this manner. There were very few evenings lately on which the hon. Member for Brighton had not placed some question on the Paper; and considering that he had given notice of his intention to bring the subject forward on the Motion for Supply, and that the Government had promised to lay the proceedings of the court martial on the table, he could not see what advantage could arise from these small incidental discussions.

MR. D. FORTESCUE said, that what he had stated was, that Sergeant Major Lilley was at first confined to his own quarters, where he had several apartments; but that when he was ordered under confinement, he was removed from his proper quarters to others, where he was confined to a single room. It was in the single room that the sentry was posted. On that point he spoke from the testimony of two eye-witnesses.

SIR FREDERIC SMITH said, he much regretted that his hon. and gallant Friend had raised the question, as it was very inconvenient to discuss matters of the kind pending the investigation that was to take place. He was one of those old officers who rejoiced very much at the course which the Government were going to take in bringing home the persons who were to give evidence. The trial ought to take place in this country, otherwise public opinion would not be satisfied. Sometimes when out of England, and the army had not the advantage of the presence of the Judge Advocate, everything was done in an irregular manner. But in this country, where that high officer was present, matters were properly and legally conducted. He was sure, if his hon. and learned Friend had been in India, the case would not now have to be tried in England. But it was because the persons who were to conduct such proceedings abroad, and who might be very excellent officers, were not acquainted with the law, that the irregularities which were complained of occurred. While he agreed with his hon. and gallant Friend (Sir De Lacy Evans) that the trial ought to take place in England, he did not agree with him that the regiment ought to be brought home. No doubt, Colonel Crawley and other officers, and even Sir Hugh Rose, the Commander in Chief, if considered necessary witnesses, would be ordered home.

Sir JAMES FERGUSSON said, he should be sorry the discussion should close without noticing a remark which fell from the hon. and gallant Gentleman who had just sat down. If it were true that it would be impossible that a court-martial—[Sir FREDERIC SMITH: I did not say impossible]—well, if it were probable that a court martial could take place in India without a reasonable prospect of justice being done, might not public opinion call imperatively many times a year for the transfer from India to this country of persons whose evidence might be considered necessary? It might be that the habits and mode of life incidental to service in India might generate scandals and serious inconveniences which did not often occur in England; but the House would establish a very dangerous precedent if it tacitly assented to such a doctrine as that such cases should be brought home in order that public opinion might be brought to bear upon them. But the House would do no such thing. That House and the country had confidence in the honour of courts martial, and believed they would do justice.

Question put, and *negatived.*

Sir Frederic Smith

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

AFFAIRS OF POLAND.

QUESTION.

Mr. HORSMAN said, he wished to call the attention of the House to the delay in the presentation of the Papers on the Affairs of Poland, addressed for on the 15th of May; and to put a Question to the First Minister of the Crown as to the probable time of receiving and communicating to Parliament the Russian reply to the last proposals of the Three Powers?

Mr. LAYARD said, he was extremely sorry those papers had not been produced, but the delay was entirely owing to a strong pressure of business in the Government printing office. They were in type, however, and in a very short time would be laid upon the table.

Mr. HORSMAN said, that the House had been told the other night that the notes of the three Powers had been sent to Russia, and the House was led to believe that they would be received and probably answered by the Russian Government at the same time. Since then he saw in a paragraph in *The Times* of the previous day the following telegram from St. Petersburg:—

> "St. Petersburg, June 23.
>
> "The English and French Notes upon the Polish question arrived here yesterday.
>
> "The Austrian Note on the same subject is not expected until Friday next."

He wished to know whether the Government were aware of that paragraph; whether they could state what was the cause of the delay in the receipt of the Austrian note; and further, whether, as the Austrian note was not expected to be delivered until four days later than the French and Enlish notes, and might not be replied to until four days later, such a circumstance would at all retard the communication to Parliament of the Russian answer to the English note?

Sir GEORGE GREY said, that he did not know on what authority the statement rested to which the right hon. Gentleman had referred. The note of the English Government was sent off on Wednesday, last week, and he believed that the French note was sent on the same day. The Government also understood that the despatch of the Austrian Government was sent off and received at the same time with the English and French notes, and it was not likely that there was an interval of four days before its arrival. He could give no assurance as to when the answer to the English note would be laid before the House until that answer was received.

MR. HENNESSY said, that with reference to the recent statement of the noble Lord at the head of the Government that certain propositions had been submitted to the Russian Government, he wished to inquire when the paper containing those propositions would be laid on the table.

SIR GEORGE GREY said, he understood his noble Friend to have said, that when the answer of the Russian Government was received, that paper would be laid before Parliament.

SIR WILLIAM GALLWEY read the following paragraph from the French paper, the *Constitutionnel*:—

> "It should be understood, that as the question is a European one, it must be resolved by the common action of Europe. Should the assertion above alluded to mean that England, if, by some mischance, and against all probability, the intervention of the three Cabinets should remain without result, would refuse to proceed further, even if the two other Powers were prepared to march with her, then we must lower the praises given to a false enthusiasm, the consequence of which was to drive the unfortunate Poles to certain death."

The article concluded as follows:—

> "We are convinced that England will dispel all equivocation. Her honour and the interests of Europe and humanity demand it."

He wished to know, whether this country was to go on drifting into war?

EXHIBITION OF THE WELLINGTON FUNERAL CAR AT ST. PAUL'S.

QUESTION.

MR. CAVENDISH BENTINCK said, he wished to ask his right hon. Friend the Chief Commissioner of Works, or some other Member of the Government, to explain the circumstances under which the "Wellington Funeral Car," with wickerwork horses, trappings, &c., is exhibited to the public at 6*d*. a head by the vergers in St. Paul's Cathedral. He had no desire to make any complaint, either against the right hon. Gentleman, or the Dean and Chapter of St. Paul's, or the vergers, who he believed received no regular emolument; but he was anxious to know why the Funeral car, which cost the country £13,000, was handed over to the Church, and why the vergers were allowed to charge 6*d*. a head for permission to see it. During the Exhibition he understood that the vergers made from £120 to £150 a week by showing the car, part of which was to be appropriated to the decoration of the Cathedral by the Dean and Chapter. Through the Ecclesiastical Commissioners a large sum of money had been given to St. Paul's, and a portion of it could be properly applied to the payment of any expenses arising from the exhibition, which, in his humble judgment, was quite unsuited to a church, though it might be suited to Chelsea Hospital. He hoped, as the subject had been brought under the consideration of the Government, they would remove the car, because its exhibition on such terms was rather a scandal. The same thing had been once done in Westminster Abbey. He recollected, when he was at Westminster School, that there was an exhibition of wax-works in Westminster Abbey, but the Dean and Chapter afterwards shut up the exhibition, and he hoped the same thing would be done with regard to the exhibition of the car at St. Paul's.

MR. COWPER believed that for a very long time the vergers had been in the habit of receiving payment for admitting and conducting persons below the Cathedral of St. Paul's into what was called the crypt. He did not mean to express any opinion as to whether the Dean and Chapter were right or not in authorizing the vergers to receive 6*d*. a head for persons going into the crypt. He understood the hon. Member to complain that some property belonging to the public had been placed in the crypt, and that money was exacted from those who saw it; but he, on the contrary, thought that the Government had reason to be obliged to the Dean and Chapter for having allowed the car to be placed in the crypt, where, in connection with the tombs of the Duke of Wellington and Lord Nelson, it was an object of much interest to the public. They had no cause to complain that the Dean and Chapter had maintained the ordinary regulations in respect to the crypt after the admission of the car in it which existed before. The hon. Member should remember that there were other attractions besides the car to induce the public to visit the crypt, and that no additional sum was charged for the car. The reason for levying a sum of money was, that it was necessary that the visitors who penetrated those dark subterranean passages should be accompanied by vergers. These guides, must, of course, be paid for their services; and as the outlay could not be thrown on the public purse, and as there were no Cathedral funds for the purpose, it was deemed fair and reasonable that those who availed themselves of the privilege of exploring the crypt should bear whatever expense was thereby incurred. His hon. Friend had taken the opportunity of criticising the car. He would not, however, enter upon that controversy. Some thought the car was a work of decorative art, very creditable to its designers, while others took a different view. However, that might be, it was certain that, like all other relics of one of the greatest of English heroes, it possessed much interest for the public, who flocked to see it whenever it was exhibited. When the temporary structure at Marlborough House, in which the car was originally placed after the funeral, was no longer available, no place seemed more appropriate and fitting for its reception than the subterranean vaulted chamber in immediate contiguity to the tomb of the Duke of Wellington in St. Paul's. Not merely the car itself, but a large quantity of trappings, banners, and other furniture used at the lying in state were also deposited there, and gave a very good idea of the general decorations of the funeral pageant. Some of the trappings and other articles which were of less importance were disposed of, and the proceeds handed over to the Wellington College. The fee demanded was for admission to see the whole crypt, and there did not appear any necessity for placing one portion of it under a different arrangement from the other.

Mr. BERNAL OSBORNE said, he was very glad his hon. Friend opposite had called attention to the matter, for the answer which his question had elicited really showed to what depths " poor science and art" had fallen in this country. In that answer spoke the true genius of the Brompton boilers. He did not know whether this exhibition of the car, and what the right hon. Gentleman had very properly termed " other articles of furniture," included the celebrated wicker-work horses which the right hon. Gentleman had sedulously excluded from his explanation. He had been under the impression that that hideous article of upholstery called the Duke of Wellington's funeral car had long ago been sold off as old furniture; but now it turned up actually in the crypt of St. Paul's, with the trappings, flags, and other things which made up the raree show, at 6*d.* a head, on the interest of which the right hon. Gentleman had expatiated so enthusiastically. It was debasing the taste of the country to exhibit such articles. The whole affair was perfectly ridiculous. The right hon. Gentleman, while he was about it, might as well get a hurdy-gurdy and play it to the public who flocked to see the car. He had no doubt the right hon. Gentleman in his official uniform would draw immensely. If such absurdities were perpetrated, at least, it ought not to be in the name of science and art. He wished that the explanation which the right hon. Gentleman had given them in mumbling tones had been more explicit, and that he had told where the wicker-work horses were to be seen.

ARMY EXPENDITURE.

OBSERVATIONS.

General PEEL said, he rose to call attention to the account recently presented to Parliament, " of the Receipt and Expenditure for Army and Militia Services for the year ended 31st March 1862," and to the excess of expenditure on Vote 2, and the reasons assigned for it; to inquire whether this expenditure includes the Native Indian Troops employed in China during that year; and, if not, to ask in what account and in what shape that expenditure is brought under the notice of Parliament; and to ask whether the payment of those Troops during the present year is a matter of account between the Indian Government and the War Department, or the Indian Government and the Treasury? His object in directing attention to the subject was to show the total want of control on the part of the House of Commons over the expenditure of the country. Under the present system the House did not, in point of fact, receive any authentic information as to the prospective outlay. The Ministers who were responsible for the different Departments brought forward the Estimates for the coming year; and if by any adroit arrangement of the figures, they could show an apparent diminution as compared with the preceding year, they claimed great credit to the Government for economy. Being perfectly aware that the Estimates could not be brought to the test of actual results until a considerable period had elapsed—in the case of the Army Estimates about two years and a half—the Ministers of course had no hesitation in giving a bold denial to any criticism on the correctness of the Estimates. When the hon. Member for West Norfolk (Mr. Bentinck), some time back, complained that the functions of the Committee of Supply were a mere farce, the noble Lord at the head of the Government replied that the reason for the paucity of objections was, that the Estimates were framed with great care, the money laid out in the most economical manner, and such full and satisfactory explanations were asked for and given that no unreasonable Vote could be passed. How far that was true hon. Members could judge when they had heard his statement. In 1861, when the Army Es-Estimates were brought forward, he endeavoured to show that the apparent reduction of £180,000 in the Votes for the Army and Militia was a perfect fallacy. He pointed out that it was produced, in the first instance, by the Vote for fortifications being provided for by a loan, and also by an insufficient sum being provided for the pay and allowances of the troops. There was then in India a much larger number of men than was required, and it was almost certain that the Indian Government would not continue to pay for them during the whole year, but would return some of them on their hands. Again, there was no estimate of the number of Indian troops in China. The Under Secretary, however, stated that the Secretary of State had paid the deepest attention to the subject, that the Estimates were quite right, and that he (General Peel) was quite wrong. Now the accounts were produced. He found that on Vote No. 2 alone there was an excess of expenditure of £361,000, and that excess was accounted for in the Return on precisely the same grounds as he had himself pointed out to the House. The regimental charges comprised in that excess, amounting to £311,000, arose from the return home from India of the 1st battery, 13th brigade of the Royal Artillery, and the 64th and 73rd Regiments, and the employment of certain other batteries of Artillery in China, for the subsistence of which Parliament made no provision; from the increased charge for good-conduct pay, the result of the operation of the Royal Warrant, dated 1st March 1860; from the continuance of batta and Indian allowances to the troops serving in China; and from the saving on the pay of men wanting to complete the establishments. If it had not been for the Votes of Credit for China, the attention of the House would have been called to the subject long ago. There had been three Votes of Credit. The first and second had been restricted by Act of Parliament to the expenditure of the financial year for which they were granted; but, unfortunately, that restriction had not been extended to the third Vote, and, consequently, the Government had been able to spend money without the sanction of Parliament. It appeared, from a Return for which he had himself moved in the present Session, that of these Votes of Credit there still remained in the Exchequer upwards of £500,000. He had asked in the simplicity what the Government intended to do with that sum, and was told in reply that in reality there was no money in the Exchequer, but simply an authority to spend so much without application to Parliament. Surely, however, the time had elapsed for these Votes of Credit. The House had been assured that the war with China was over, that five regiments had been brought home from China, and that a still further reduction would take place. That was neither the time nor the place to go into details and figures, but he wished to know whether any Member of the Government, or anybody else, could point to a Paper or Return, showing the number of Indian troops employed in China from 1858 up to the present moment, their charge, and how they had been paid. He had sought in vain for any such Return. Surely the House had a right to know how these Indian troops had been paid. Perhaps they had been paid in a lump sum out of the Votes of Credit without the knowledge of Parliament; but, in that case, he need hardly say, there was an end to the control of that House over the expenditure. The last question he had to ask was, whether the Indian troops were to be paid that year by a direct account between the Indian Government and the War Office, or by an account between the Indian Government and the Treasury. If the troops were to be paid by the Indian Government, the account could not be rendered within the financial year, and the same results would follow as before. He observed, in the paper before him, that there were certain savings which might be used to meet excesses of expenditure; that was to say, the Government might spend a further sum of money without the authority of the House. The so-called savings were mainly on the Vote for Stores, and had been effected by the non-completion within the financial year of the contracts for guns, which, however, would have to be paid for next year.

Colonel SYKES said, the Secretary of the Treasury, in answering a question he had put to him that night, had said that half a million of dollars of Chinese compensation money which was in the Treasury in 1846 had been expended, he supposed, on the war in China. He (Colonel Sykes) wished to know how, when, and where it had been expended?

Mr. BENTINCK said, his right hon. and gallant Friend justly complained of the want of control of the House over the expenditure of the country, and in the course of his observations he adverted to a former discussion which had taken place on the subject, in the course of which he (Mr. Bentinck) had applied the word "farce" to the voting of the Estimates. He was not prepared to contend that "farce" was a strictly parliamentary word, but having used it he was prepared to abide by it. Indeed, there could be no broader farce than for a deliberative assembly to undertake to perform a most important duty without the slightest intention of going through with it. His right hon. and gallant Friend had given a case of what he considered to be a want of control over the expenditure, and he ascribed it to the manner in which the Estimates were framed and brought forward. But, without disputing that view of the case, he (Mr. Bentinck) was inclined to think there was another and far more powerful cause of the evil and grievance complained of. The real reason why the discussion of the Estimates was nothing but a farce arose from the fact that the House, when in Committee upon the Estimates, were never willing to deal with any matter brought before them upon general principles. Everything was pre-arranged, certain crotchets were put forward by individual Members, and there was a total absence of any independent action in the House. This arose from the desire of the occupants of the two front benches to check all independent action. The result was that they were able to force through the House Estimates of the most objectionable character. In making these remarks, he did not apply them more to one side of the House than to the other. The holders of office and the expectants of office were alike interested in keeping up the state of things to

which he referred. His right hon. and gallant Friend the Member for Huntingdon (General Peel) was personally exempt from the charge, and, no doubt, wanted everything connected with the Estimates to be treated in the clearest and most straightforward manner, but he must pay the usual penalty attached to the keeping of bad company; and so long as he continued to sit on the front opposite bench, he must share with others the blame due to those who were responsible for the absence of independent action. Until the independent action of the House could be roused—until hon. Members ceased to be mere party hacks, hounded into the lobby, right or left, as the case might be—until hon. Members resumed their rightful position of free and independent representatives of the people, the system complained of would continue to prevail. The House had lately witnessed an attempt to exercise independent action in defiance of an arrangement which had been come to between the House and the noble Viscount, the leader of the House, whose absence they so much regretted. He (Mr. Bentinck) confessed he did not think this a happy mode of exercising independence; but if he might venture to hope that it was a premonitory symptom of a more independent course of action in the House, he should rejoice at what had occurred, for he did not think that any one would venture to argue that it was a creditable position for the representatives of a great country that they should, when the most important of all their duties was to be exercised by them, degenerate into a mere set of what he had justly termed party hacks, without independent action or will, and without zeal or energy to deliberate, or to defend the pockets of their constitutents. He trusted that what had fallen from his right hon. and gallant Friend, with the advantage of his great influence in the House, would be a warning to the House not to pursue the discreditable course which had been followed in voting the army Estimates, but that it would lead a large number of Members to exercise an independent control over those Estimates.

Sir JAMES ELPHINSTONE said, he wished to know to what extent Parliament had any control over the government of India. The Government had lately substituted for the Indian navy that of Great Britain, and he should like to know how far they intended to proceed in that course, because he, for one, protested against the maintenance in India of armies and navies without the authority of Parliament.

MR. T. G. BARING said, he would remind the hon. Baronet that this year, for the first time, the whole expenditure for the depôts of the Indian army in this country had been included in the Estimates; and also that no money could be spent upon the navy which had not been voted by that House. Against the remarks of the hon. Member for West Norfolk (Mr. Bentinck) it did not become him to defend either the front bench opposite or the independent Members upon whom the hon. Gentleman reflected when he called the discussion of Estimates a farce. But he remembered that when on one occasion he brought forward the Estimates for the War Department, he was subjected to a very rigid and painful examination upon all points, and that so far were independent Members from exhibiting any indifference that they showed a disposition to ask questions and call for explanations upon every matter that was involved in the Estimates. He also remembered that in the course of the discussion they had one or two very close divisions, proving that hon. Members were not so ready to follow the Government into the lobby as the hon. Member for West Norfolk seemed to suppose. He would suggest to that hon. Gentleman that he should himself study the Estimates, and bring his ability and experience to bear upon the discussion, rather than, after they were passed, try to bring the House of Commons into discredit with the country—a discredit which, from his experience, he could assert that it did not deserve to have cast upon it. The attack upon the leaders of the hon. Gentleman, if he might presume to call them his leaders, had been answered by the course which the right hon. and gallant Officer (General Peel) had pursued. He had never scrupled to comment upon the Estimates, or, what was still more valuable, upon the accounts which were afterwards presented to the House. With the remarks which the right hon. and gallant Officer had made upon the accounts for the year 1861, in which he had the honour to move the Estimates, he could only concur so far as most cordially to admit that he had no right to complain of the course which was taken when those Estimates were submitted to the House. The gallant General said upon that occasion that the Vote for men would not be sufficient to cover the expenditure. On several subsequent occasions he repeated that statement. He had now said that the accounts corroborated that assertion, and showed that £360,000 had been expended in excess of Vote 2 for the pay and allowance of the army, and he had implied rather than stated that that excess had been covered in some mysterious manner by the Vote of Credit for the expenses of the Chinese war. There was no doubt there was that excess upon Vote No. 2, that the main part of it was caused by the operations in China, and that it had been met to that extent out of the Vote of Credit. There had been no secret or mystification about the matter. On several occasions he had stated, in answer to questions put by the gallant General, that neither the Staff in China nor the troops which were retained in that country in excess of the ordinary establishment were included in the Estimates which he moved in 1861. The House must not, however, suppose that any money had been appropriated from the Vote of Credit otherwise than fairly and honestly, under the authority of Parliament, because the Appropriation Act of 1861 contained the following clause:—

> "Out of all or any of the aids or supplies aforesaid, there shall or may be used and applied any sum or sums of money not exceeding £1,000,000 to defray the expenses consequent on the naval and military operations in China beyond the ordinary grants for the army and navy services."

Therefore there was a clear and distinct power to pay the expenses which he had always told the House were so to be paid. A list of those expenses was given at page 2 of the "Account of Receipts and Expenditure," and the total amount applicable to Vote 2 was £215,637. Therefore, the House would see that the main part of the apparent excess upon Vote 2 was not in reality an excess at all, because it was expenditure which was foreseen, and for which provision was made in a Vote of Credit distinct from the Estimates of the year. He did not mean to say that the Estimates for 1861 were completely accurate, but they were, as had been shown by the accounts, more accurate than any which had been presented within the few years preceding, including those of the gallant General himself. He himself had nothing to do with their preparation, having gone to the War Department only a few weeks before they were laid upon the table. He was therefore a fair judge in the matter; and it was due to the reputation of Lord Herbert to say that no Secretary of State for War had ever introduced more improvements into the mode of preparing Estimates. Up to the autumn of 1860, the Estimates and the accounts were prepared in separate departments. It was evident that such a system must have led to great inaccuracies in the Estimates. That system was altered by Lord Herbert; the preparation of the Estimates was transferred to the Accountant General's Department; Mr. Whiffin, one of the assistant Accountants General—a very able officer—was engaged upon them, and they were made unusually accurate. The general result was, that including the supplemental Estimate, there was a saving of £217,430, which was restored to the Exchequer. To return for a moment to the question of men. The right hon. and gallant General knew that his whole argument depended upon the number of the regimental establishments. The regimental pay and allowances in the detailed account are separated from the rest of Vote No. 2. Taking regimental pay and allowances alone, there was inserted in the Estimates of 1861-2 the sum of £4,212,644 from which was to be deducted £127,597, for the pay of men "wanting to complete the establishment," leaving a total sum of £4,085,047 voted for regimental pay and allowances. The expenditure for regimental pay and allowances was £4.247,211, and contrasting this with the amount provided, an excess of £162,164 was shown. From that excess must be deducted the pay and allowances of the troops in excess of the establishment in China, which was provided for out of the Vote of Credit. That amounted, according to the best calculation he had been able to make, to £80,000, and left an excess, consequently, of £82,164. He was quite prepared to admit to the right hon. Gentleman that the expenditure for regimental pay and allowances, as compared with the Estimates, showed an excess of £80,000; but that amount was certainly not considerable out of a total Estimate of more than £4,000,000. The excess was accounted for in part by the unexpected return to this country of two regiments, which were sent home by the Indian Government early in the financial year, without notice, thereby disarranging all previous calculations. Recruiting was immediately stopped, in order that the number of men in the army might not rise above the proper limits; and that stoppage continued till the month of November 1862. In order to give the House an idea of the effect of stopping recruiting, he might state, that the number of recruits for infantry and cavalry of the line raised up to November in the year 1860-1, was 13,600; while in the year 1861-2 the recruits raised during the same months were only 1,730. Had the stoppage of recruiting continued, he asserted, without fear of contradiction, that under ordinary circumstances the army would have been brought down to very nearly the average for which provision was made in the Vote, and thus there would have been no excess whatever. But it became necessary to reinforce the troops in Canada, and accordingly recruiting was allowed again to proceed during the month of November. He did not think the sum of £6,000 taken in the Supplemental Estimate was quite sufficient to meet that addition to the army. He felt diffident in placing his own statements in opposition to those of so very high an authority as the right hon. Gentleman opposite, but he would read to the House an opinion expressed by the lamented Statesman who last filled the post of War Minister; and the House would feel confident that it was not a statement put forward to meet a difficulty or to make a point, but uttered because at the time he made it the right hon. Gentleman was convinced of its truth. Sir George Lewis, speaking on February 17, 1862, said—

> "The number of men was in excess of the Vote during the earlier months of the year, and therefore it became necessary for the Department to take steps for reducing it, in order that the number should be short of the Vote in the latter part of the year, and in that manner that a balance might be established. Accordingly, the recruiting of men was stopped in the summer, and the number was allowed to fall below the establishment." [3 *Hansard*, clxv. 404.]

On the 3rd of March in the same year Sir George Lewis again said—

> "It so happened that the alarm of war supervened, and from this cause the number voted for the whole year might to some extent have been exceeded. If the calculations had not been defeated by that accident the numbers voted by Parliament would have been strictly complied with." [3 *Hansard*, clxv. 974]

That was a statement which he ventured to think fully equal in authority to that of the right hon. Gentleman himself. The Estimates impugned were more accurate than any which in recent years had been laid upon the table. So far from there having been any mystification in respect to the Vote of Credit, the increased expenditure in connection with the China war was distinctly within the cognizance of Parliament, and covered by a clause in the Appropriation Act. It was impossible, at the time, to foresee that security and confidence would be re-established in India so soon after the mutiny, that the Indian Government, without informing the Government at Home, should feel itself at liberty to send home two regiments more than had been estimated for. He need hardly say, that when Estimates were brought forward, it was impossible to tell precisely how many men there would be during every portion of the course of the whole year. Regiments returned sooner or later than was expected, and all that could be done was to obtain the nearest possible average. When the right hon. Gentleman himself was Secretary for War, he by no means observed that stringent accuracy with regard to numbers which he required from the present Government. He did not complain of that, for there had been changes in the system, and the right hon. Gentleman had not the same opportunities as those now charged with the preparation of the Estimates and the control of the expenditure.

GENERAL PEEL said, that during the whole year he never exceeded the prescribed number by a hundred men.

MR. T. G. BARING challenged the right hon. Gentleman to deny that at one time the numbers were at least five thousand above the vote which was taken. In that computation, of course, he included the embodied militia. The House would understand that the remarks which he had offered were not in defence of any Estimates he himself had prepared; no blame attached to himself in the matter. But he felt bound to say, in defence of those who had been charged with the conduct of the Department, that he did not think the strictures of the right hon. Gentleman were at all borne out by the facts of the case.

MR. PEEL said, he did not agree with his right hon. and gallant Relative that the accounts of the military expenditure for 1861-62—considering that it was a year of war and the termination of a war—were altogether unsatisfactory. The sum spent exceeded the sum voted by about £260,000. But £270,000 of the expenditure of the year was directly traceable to the China war, and was therefore properly chargeable on the Vote of Credit taken in that very year. His hon. and gallant relative would hardly contend that it was in contemplation to include the whole expenses of the China war in the Estimates for 1861-62.

GENERAL PEEL observed, that the war was over when the Estimates were framed.

MR. PEEL said, the sum of one million was expressly taken for the purpose of meeting the expenses of the China war. The question put by his hon. and gallant Relative whether the excess of expenditure on Vote 2 included the cost of the native Indian troops employed in China, he must answer in the negative. It was impossible when the Estimates were presented to form any probable conjecture as to the cost of the Indian native troops. Those troops were paid by the officers of the Indian Government, as would appear in the expenditure of the year when the accounts were ready. The only reason why a detailed statement had not been laid before Parliament was that an examination of the accounts for 1861-2 had not yet been completed. The money for the payment of the Indian troops was obtained from the Treasury chest in China. The Estimate for the native Indian troops was this year included in the Army Estimates; and, although the money was expended by the officers of the Indian Government yet the accounts would be presented to Parliament.

SIR HENRY WILLOUGHBY said, he thought that his right hon. and gallant Friend had done good service in bringing the question before the House. It was important to find out how money voted was disposed of, and that could only be done by referring to the accounts, which were not produced until nearly two years after the money had been expended. He could not quite concur in the laudation the hon. Member for Penryn (Mr. Baring) had passed on those accounts; he found that there were blots in them; and he hoped that the House would be shy of voting money on credit, except under special circumstances, and then only for a limited period of time. They learned from the statement of the hon. Under Secretary that there was a discrepancy of £80,000 in the accounts, and he believed it was more. He should like to know from the Chancellor of the Exchequer whether the matter was not so far altered that any excess of expenditure must be brought before the House in the shape of a separate estimate. He believed it was not in the power of a Department, except for a limited period of time, to take money from one Vote and expend it on another. If the case in question had occurred this year, he believed that under the change in the Appropriation Act it must have been brought before the House. He remembered perfectly well, that when the Estimates for 1861-2 were brought forward, a distinct allegation was made by his hon. and gallant Friend that the amount was not sufficient; and the Government had incurred a heavy responsibility in contending that the Vote was sufficient, when it was palpably clear, as events had proved, that it had not. In the detailed accounts there appeared payments that were not in the Estimates, and that was a most important matter. He should like to know by what authority £13,000 or £14,000 had been paid on account of the German settlers at the Cape. There was not a single atom of information relating to it in the Estimates, nor was there a Vote taken for it. It was a grave and serious matter when the chief of such an important department as the War Department had no seat in that House. What right had the War Office to spend the money without the authority of the House? Any attempt on the part of the War Office to spend army grants on civil purposes struck at the principle of the power of the House. He hoped that when such occasions arose, some severe censure would be passed by the House on those connected with the War Office, who ventured to exercise an authority so dangerous to every recognised constitutional principle. He, for one, was glad his right hon. and gallant Friend had brought the matter before the House, because it had been shown that Votes passed for one purpose were still applied to another.

THE CHANCELLOR OF THE EXCHEQUER said, that the House ought to be thankful to any hon. Gentleman who undertook the irksome task of challenging matters of account. He thought, however, that the right hon. and gallant Member for Huntingdon had taken rather a gloomy view of the subject, when he omitted to refer to the means which the House possessed of improving its control over the expenditure. He could assure the hon. Baronet (Sir H. Willoughby) of that which was matter of notoriety, that the Government had no longer any authority to sanction the transfer of a sum of money from one Vote for the purpose of meeting an excess in another direction. The demands of the public service were so vast and extensive that it was impossible the exact sum required in each case should always be demanded. There was, however, a temptation in every Department to call for large sums for services that were popular, and small sums for others that were not popular; and it was therefore desirable that the attention of the House should be directed *de novo* to any transfers and excesses of the kind when they occurred. The Treasury could provisionally give their sanction to such transfer, but a distinct application must be made to the House, and without a distinct Vote of the House no such transfer could be allowed.

MR. DISRAELI: Sir, before the conversation terminates, perhaps I may be allowed to recall to the memory of the House the exact position which my right hon. and gallant Friend has taken on this subject. What he wanted was that the audited accounts for 1861-2 should be laid on the table, in order that it might be seen whether he was justified in the criticism he made on the Estimates of 1861, the justice of that criticism having been flatly denied or impugned by Her Majesty's Government; and I think my right hon. Friend has entirely succeeded in his object. I do not at all deny the truth of the statement made by the Chancellor of the Exchequer; and it is very satisfactory to the House that such alterations have been made in the manner of conducting the financial affairs of the country, but that is no answer to the point urged by my right hon. and gallant Friend. In fact, the hon. Under Secretary has admitted that there has been an excess, and he has alleged that there are extenuating circumstances; but those circumstances have really no weight in this instance, because all those points were anticipated by my right hon. and gallant Friend at the time, but were not acknowledged by the Under Secretary. For instance, the hon. Gentleman says the excess is not so great as it has been stated to be, and he reduces the excess by making a deduction for the extraordinary expenditure incurred in the return of regiments from India; but my right hon. and gallant Friend pressed on the Government and the House at the time the Estimates were under consideration that a proper allowance had not been made for the inevitable return of these regiments and he was contradicted. Well, but, says the Under Secretary, we have done nothing with the Vote of Credit for China which we were not justified in doing under the provisions of the old Appropriation Act. No one for a moment pretended that the Government would deal with a Vote of Credit except in a legal and constitutional manner, but that is not the point which was urged at the time by my right hon. Friend. He called upon the Government and the House to consider that there were inevitable expenses which must be incurred on account of the proceedings in China, and what was the answer of the Government? It was, "Oh, no, nothing at all of the kind; the war in China is concluded." To-night also the right hon. and gallant Gentleman has reminded the House of the remarks he made at the commencement of 1861 upon the question of men, and the Under Secretary has questioned the accuracy of that statement. The Under Secretary says that—

> "The right hon. and gallant Member anticipated that there would be an excess of the numbers voted, and he founded his statement on the roll of numbers on the 1st of February last."

That was exactly what my hon. and gallant Friend did two years ago—he anticipated an excess. Now, let the House observe the answer of the Government at the time. I read it, that the Under Secretary may not suppose I am colouring a statement. Mr. T. Baring could assure the Committee that—

> "The subject had received the careful consideration of Lord Herbert and the Commander-in-Chief, and no difficulty was anticipated in so regulating the numbers as to bring them within those for which provision had been made." [3 *Hansard* clxi. 1999.]

To-night my right hon. and gallant Friend has shown that the criticisms he made in 1861, the accounts being now audited and laid on the table, were sound and just criticisms, and that the answer given this evening by the Under Secretary is unsatisfactory and beside the question. There is no occasion to vindicate the character of Lord Herbert, which nobody has impugned, or the general ability of the administration of the War Department under that eminent statesman. What we wanted was an answer to the statement, if its accuracy were questioned, of my right hon. and gallant Friend. He has really received no answer; and he has proved that the criticisms he made on the Estimates in 1861 were accurate, and were distinguished by that sagacity and foresight which mark the character of his mind.

SMALL ARMS.—OBSERVATIONS.

MR. HUSSEY VIVIAN said, he wished to call the attention of the House to the Report of the Committee on Small Arms, and to ask Her Majesty's Government, what action they purpose to take thereon? He ventured two years ago, upon the ground that the arm purchased by the Government was not the best which could be had for the money, to bring the question of the Small Arms employed in the British army under the notice of the House, and the noble Lord at the head of the Government promised that the subject should be investigated. That pledge had been strictly fulfilled, and he wished to call attention to the Report of the Committee appointed to inquire into the matter. The reply of the Committee to the question whether the present Enfield rifle, ·577 bore, was manufactured on the best possible principles, was that it was not. Now, it could hardly be considered a satisfactory position to have spent £3,000,000 on the purchase of arms, and not to have purchased the best. The course which the Committee had taken had been as follows. They had selected five ordinary service muskets; five muskets with five grooves instead of three; five with five grooves but with a sharper twist; and five with a still sharper twist. On experiment it was found not only that five-grooved pieces were better than three-grooved ones, but that the further they departed from the principle of rifling in the ordinary service musket, the better the rifle which they produced became. The elliptical system of rifling of Mr. Lancaster, proved itself superior not only to the ordinary service Enfield, but to the best of the rifles made on other improved principles. The Committee next proceeded to investigate the question of a different calibre, and they experimented on Mr. Whitworth's ·451 bore, Mr. Lancaster's small bore, and the breech-loader of Mr. Westley Richards; and the conclusion at which they arrived did at length that justice to Mr. Whitworth which had been so long deferred. Without urging its universal adoption in the army, they declared his rifle to be the best that had yet been invented, even as a military weapon. They also expressed an opinion that it was not probable there would be any material improvement upon it. The Committee arranged the small bore rifles in order of merit. The Whitworth came first, the Lancaster next, the Westley Richards next, and then the Enfield regulation rifle. It appeared then, that after the expenditure of large sums of money in the production of small arms, the Committee at last arrived at the conclusion which might have been easily come to before a great expense had been incurred, and he wished to know why the experiments which were ultimately tried were not made sooner. He believed that the Ordnance Committee had no power to originate experiments, but only to experiment in respect to matters referred to them; but he certainly thought, considering the simplicity of the experiments with regard to small arms, care should have been taken to institute them long since. The Committee on Small Arms very quickly established the fact that the rifle manufactured by the Government was the worst; and, consequently, it would be satisfactory if the Government could inform the House that some tribunal was about to be established, which would consider these matters before the country was involved in a vast expenditure. With regard to the thinness of the barrel, the Committee had not gone into that point; but it was evident, that in small arms of the same weight, the strength of those having the least-sized bore would be the greatest, because the metal would be thickest. The regulation rifle was a weak weapon; the groovings were thin and easily worn down by the action of the ramrod, and after the firing of a comparatively few thousand rounds it became inefficient. That was not the case with the Whitworth or the Lancaster. But, in his opinion, the Committee had not sufficiently considered the question of the endurance of rifles likely to be subjected to much rough usage. The firing of 1,000 or 1,800 rounds could not be a sufficient test of endurance, and he should like to have seen the rifles exposed to the test of real hard usage, such as they were likely to meet with in the field. Considering that the Government were making a great number of these weapons every year, and that many were continually worn out by use in the course of years, if those weapons were replaced by a good arm, the error which had been fallen into would be retrieved. It had been said that the Westley Richards breech-loading rifle cost £9; but he had ascertained that if made in large numbers, the Westley Richards breech-loading rifles could be manufactured for a sum not exceeding £5 each. Such an arm might be of great advantage in skirmishing. Another point to which the Committee had omitted to attach sufficient weight was that of penetration, which was increased by the greater hardness of the projectile. Defences used for field works were now made of a strength exactly sufficient to resist the ordinary rifle-ball; but if a hardened ball were employed, with a power of penetration three times greater, it was clear that the strength of all those defences must be increased three times also. In conclusion, he would ask the Government what action they proposed to take in reference to the Report of the Committee on Small Arms.

MR H. BERKELEY said, that the details which the hon. and gallant Member had brought forward were such as the House could scarcely deal with. He could not assent to the alleged perfection of either the Whitworth or Westley Richards rifle. There might be more correct weapons than the Enfield, but he believed that for all the practical purposes of a campaign, a better rifle was not to be found. He wished however, to call attention to a rifle which had been in the hands of the 10th Hussars for more than two years, and upon which the commanding officer had reported favourably. He alluded to Terry's breech-loading rifle. Before he (Mr. Berkeley) was aware of that debate, he had entered a question for the following evening with regard to that weapon. That instrument could be used with the Enfield barrel; it was very efficient in all respects, and it possessed this advantage over the Westley Richards, that it was half as cheap again. He was informed, that on a recent occasion, 1,500 rounds of ammunition had been fired from one of those rifles, and it was found to be perfectly clean afterwards. He wished to ask the noble Lord whether Terry's rifle had been referred to in the Report of the Committee.

THE MARQUESS OF HARTINGTON said, the House and the country were much indebted to the hon. and gallant Member for the pains which he had taken in investigating the subject, and for the Motion which he made two years ago, and which resulted in the Report of the Committee before them. He could not, however, admit that the Report showed that the Government of the day had taken a wrong course, or wasted public money in the manufacture of the Enfield rifle. That manufacture was commenced at a time when much alarm and anxiety prevailed throughout the country on account of their not being provided with a good rifle for the army. Under those circumstances, it was incumbent on the Government to adopt that rifle, which, although it might be open to some scientific objections, offered the greatest number of advantages for practical service in the field. The Report of the Committee distinctly stated that the Enfield rifle was introduced at a time when there was only limited experience in regard to elongated rifle bullets, and that the greatest credit was due to those who produced a weapon which was believed not only then, but still, to be superior to any arm adopted by other countries. If that were the case, it could not be said that the Government had failed to do their duty in the matter. The hon. Gentleman had referred to the fact that the Committee had reported in favour of the Whitworth rifle, but it was most important for the House to bear in mind that the trials which were conducted by the Committee were entirely of a theoretical and not of a practical character. The results were, no doubt, sufficiently favourable to the Whitworth, and sufficiently unfavourable to the Enfield, to justify the Government in making further experiments in regard to these arms. Considering, however, that they were at that moment in possession of a weapon which the Ordnance Committee themselves declared to be superior to any possessed by other countries, it would obviously not be right for the Government to enter into a heavy expenditure, such as would be required in order suddenly to substitute another instrument for the Enfield as the rifle of the army, except on the fullest consideration and after the most complete practical experience. One difficulty of changing the Enfield for another rifle of smaller bore was, that if before the alteration was entirely concluded war broke out, they would have so many regiments armed with the one instrument and so many with the other; and two different sorts of ammunition would have to be served out. That might lead to great confusion, and possibly even to the most disastrous consequences. It was therefore the intention of the Government not to desist from the use of the Enfield until they had ascertained, by the most thorough and conclusive trials, the superiority of the Whitworth. With the view of giving a complete practical trial to the Whitworth Rifle, they proposed to issue that arm to the eight battalions composing the Rifle Brigade and the 60th Rifles. That rifle would then be in the hands of expert soldiers in every part of our possessions, and would be subjected to every kind of usage or accident which could possibly happen to it. On the Report which was made of the performances of the Whitworth under these circumstances, the Government would decide what should be their course for the future. As to large bores, the Committee had reported more favourably of the Lancaster than the Enfield, and the former could be more easily substituted for the Enfield than the small bore to which he had referred. Mr. Whitworth did not provide a large bore rifle for trial, because he was aware that he could not obtain the same advantages with a large as with a small bore. The Government, in consideration of the recommendations of the Committee, had resolved to proceed as slowly as possible with the manufacture of the present service Enfields, and Mr. Whitworth had been requested to furnish a number of polygonal rifles of the large bore size, in order that they might undergo competition with the Lancasters. Whichever was found to be the best for practical purposes would gradually be introduced. There would not be the same difficulty in the substitution of an improved large bore for the Enfield as in the case of small bores, because the issue of different ammunition would not be required. The hon. and gallant Member who brought forward the Motion had gone, in his opinion, a little too far in stating that the Ordnance Select Committee reported that the Whitworth was absolutely the best rifle. As he had already mentioned, the trials were theoretical and not practical; but, moreover, the Committee themselves pointed out several defects in the Whitworth, such as breaking of hammers, and the inconvenience in some respects of the ammunition. These points, small as they might seem, were really of more importance than any question of extraordinary accuracy at long range. Most military men were agreed, that however useful a rifle possessing precision at a long range might be under certain circumstances, and in the hands of experienced men, the arm best fitted to be used by the general rank and file, was that which could most simply be managed, which was least liable to derangement, and which was generally most useful. There was, however, no such extraordinary difference between the Enfield and the Whitworth rifles for the purpose of actual service as would justify the assertion that the public money had been wasted on the manufactory at Enfield. [Mr. HUSSEY VIVIAN explained, that he had not said that the public money had been wasted.] Neither had anything come out that would justify the Government in subjecting the army to the great inconvenience of suddenly changing the rifle used in the army. Only one other point remained. Among military men, great difference of opinion prevailed with respect to breech-loaders. No doubt, under certain circumstances, these rifles possessed great advantages; but some authorities believed that the extreme facility of loading would induce the men to fire away their ammunition with too great rapidity, which would counterbalance the advantages they possessed in other respects. The question of cost was also one of considerable importance. On the whole, then, the Government did not feel themselves justified in ordering breech-loaders to be issued to the troops for actual service; but, at the same time, the merits of the arm invented by Mr. Westley Richards were such as entitled it to a further practical trial, and the Government had consequently determined to place 2,000 in the hands of men scattered over all parts of the world, in order that the weapon might be thoroughly tested. Such were the decisions to which the Government had come, relative to small arms, and he hoped they would be satisfactory to the House. He should be happy to answer the question of the hon. Member behind him, on the following day. In conclusion, he would repeat that the House and country ought to feel obliged to the hon. Gentleman for having paid such attention to the subject.

ENGINEER OFFICERS' RETIRING ALLOWANCES.—OBSERVATIONS.

COLONEL DUNNE said, he thought that the answer given by the noble Lord the Under Secretary for War was highly satisfactory as to the course the Government had taken in regard to the subject which had been under discussion. There was, however, another subject upon which he wished to obtain some information—namely, with respect to the sum granted for the retirement of the officers of the Royal Engineer Corps and the manner of its application. A sum of £16,000 was voted every year for the retirement of Engineer officers; but since the Vote first appeared in the Estimates the corps had been largely increased by the amalgamation of the army of the East. What he complained of was that the whole of the £16,000 was not applied to the purpose for which it was voted. Certain Engineer officers accepted civil appointments. When the time arrived at which they would be entitled to military retiring pensions, they were obliged either to give up their civil appointments or to forego their retiring allowances. If they continued to serve the country in a civil capacity, their retiring pensions as Engineer officers were retained; and, for his own part, he did not know whether the money was returned to the Exchequer, or applied to some other purpose. All he knew was, that to that extent the sum voted by Parliament for the benefit of the Engineers was misapplied. The Commander-in-Chief had endeavoured to obtain justice for the Engineer officers, but in vain; and hence the necessity for calling public attention to the subject.

MR. PEEL said, there was a War Office warrant of 1858, which granted £48,000 for pensions to officers of the Artillery and Engineer corps, £32,000 for the Artillery, and £16,000 for the Engineers. The latter sum was to be divided between the officers of different ranks in the Engineers. The general officers were allowed to retire on full pay provided they had a prospect of the command of a battalion. Now, those general officers made a sacrifice when they consented to retire on the full pay list. Some of these retired full-pay officers were found available for civil service, and of course, when so employed by the Government, it was not possible that they should receive both their military full pay and their civil salaries. Consequently, a certain portion of the amount granted for the retired full-pay list was undrawn. The hon. and gallant Member did not wish to deprive the Government of the privilege of employing Engineer officers in civil situations in cases where they were likely to render service to the country. What he wanted was that the military full pay of officers engaged in civil employments should be assigned to other officers of the Engineers.

COLONEL DUNNE said, he did not refer to the full pay, but the undrawn retiring pensions, which were allowed to accumulate, instead of being distributed amongst the other officers. His object was that no part of the £16,000 voted by that House for Engineers should be intercepted because some of those officers took employment in the civil service.

CAPTAIN JERVIS said, the complaint was that a certain sum was voted by Parliament to be applied in certain proportions so as to produce the greatest number of retirements among the Engineer officers, and thus prevent very old officers occupying the places of young and active men who could do the work; but that the Treasury would not allow it to be so expended. Not long since three senior Engineer officers were in civil appointments, when £600 fell vacant. Instead of the next Engineer officer getting this, the Treasury said that some of these three officers might some day retire from civil service; and, until they made up their minds, they would allow no one to have the money. One of these had since died, but still the money was retained. He hoped that the matter would be seriously considered, as the sum actually voted by Parliament was not distributed.

THE CASE OF PAYMASTER SMALES.

OBSERVATIONS.

Mr. CONINGHAM said, after the discussions which had already taken place on the subject of Captain Smales' court martial, he thought he should best consult the convenience of the House by postponing his Motion until the evidence was printed. But as an hon. Gentleman opposite had stated that the verdict of the court martial was justified by the tone of insubordination that pervaded Captain Smales' letter, he (Mr. Coningham) felt himself called on to state that that letter was written under a feeling of great provocation and irritation. He wished also to make a remark upon the gross injustice towards Paymaster Smales of statements made in the memorandum of Sir Hugh Rose on the proceedings of the Mhow court martial. It was therein stated that Paymaster Smales had been convicted of falsehood and malice, whereas the fact was that he was not even charged with falsehood and malice; that the charge before the court martial was confined to insubordination. Falsehood and malice were moral offences which rendered a man who was guilty of them unworthy of society; but insubordination was not a moral offence at all. Paymaster Smales had been treated with grievous injustice, and had been made the object of special slander, and on these grounds he (Mr. Coningham) would hereafter appeal for justice on his behalf.

Motion *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply *considered* in Committee.

(In the Committee.)

(1.) Original Question again proposed,

"That a sum, not exceeding £236,016, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for Public Education in Ireland, under the Commissioners of National Education in Ireland."

Mr. HENNESSY said, that the right hon. and learned Gentleman the Attorney General for Ireland, in objecting to the introduction of the English system of education into Ireland on the ground that it would facilitate proselytism, by enabling wealthy Protestant landowners to establish schools where there were no children of their own denomination to attend them, had entirely misunderstood the character of its system. According to a cardinal rule of the Privy Council, no one was allowed to receive a grant unless he could show that there were within the area of the proposed school a sufficient number of children and families of the labouring poor of the same religious denomination as himself; and in one case, to his knowledge, a grant was refused to a gentleman who desired to establish a Catholic school in a Protestant district, because he could not satisfy the requirements of the Privy Council in that respect. In short, the English system was carefully guarded against any attempt at proselytism, and no instance of its failure in that respect had come to his knowledge. The Attorney General dwelt very much upon the increase in the number of scholars, which had risen from 355,320 in 1843 to 812,000 in the present year, but he had not referred to the cost. In 1843, the sum voted by that House was £55,000. This year they were asked to vote £305,000. According to the rate of expenditure in 1843, that sum ought to educate not 812,000 but 2,000,000 pupils. In Ireland the grant had increased much faster than the number of children. In England, within the last year or two, the grant had declined, but the number of children attending the schools had increased. The decrease of the grant last year was £38,000, but there was an increase of 28,000 in the attendance. In Ireland there was an increase of 320 in the number of pupils and of £16,000 in the grant. The increase in the number of schools in Ireland was 180, or one for every two pupils; while in England, with an increase of 28,000 pupils, the increase in the number of schools was not more than 20 or 30. It might be asked why Irish Members should complain, as long as their country derived the benefit of the excessive expenditure upon the system of national education. In a debate a few night previously, the Chancellor of the Exchequer, when asked for money to promote works of a practical character, such as arterial drainage and the improvement of inland navigation, replied that he had no money to spare for such purposes, as the nation already bestowed £300,000 a year upon Irish education. Clearly, therefore, it devolved upon Irish Members to show in what manner the money which the Government was willing to expend in Ireland could be most beneficially applied. In the comparatively deserted state of the House it would interfere with the progress of public business if he were to press to a division the Motion of which he had given notice for a reduction of the Vote by £100,000. He therefore begged to withdraw it; but he hoped the right hon. Gentleman the Chief Secretary, before the Vote was agreed to, would let the House know whether he concurred with the views which his Colleague the Attorney General for Ireland had expressed.

Mr. LONGFIELD said, he felt, that after the lengthened debate which had taken place on a previous evening, and in the present state of the attendance, the time was inopportune for bringing forward his Motion for such a relaxation of the rules of the National Board of Education in Ireland as should permit a number of schools now in existence and languishing for want of funds to partake in the benefits conferred by the grant. He begged to give notice of his intention to bring forward that subject early next Session.

Sir ROBERT PEEL said, it was not for him to state whether he agreed with every word of the very full and able statement of his learned Colleague the Attorney General; but the general views expressed by that right hon. Gentleman on the subject of National Education received his entire concurrence. It was perfectly true that there was a small increase, about £16,000, over the Vote of the previous year; but that, as he had explained to the House when introducing the Vote, was principally owing to the natural increase in the salaries of teachers; and he was sure the Committee would feel that those public servants were not overpaid for the duties they discharged. He should be very glad to see money voted for the purpose of improving the arterial drainage of Ireland, or the agricultural system of that country generally, and all efforts in that direction would receive his cordial support; but he should be sorry to see the grants for education stopped in order to promote works of arterial drainage, on which undertakings large sums had been expended within the last thirty years. To educate the poor was to contribute in the best manner to the material improvement of the country in which they resided. After the ample discussion which had already taken place, he hoped there would be no objection to agree to the Vote.

Sir FREDERICK HEYGATE said, there were only three systems of education possible in Ireland—the voluntary, the denominational, and the mixed systems. The voluntary system might succeed in the case of the rich, but as regarded the poor it was not to be depended upon. The introduction of the denominational system into such a country as Ireland was exposed to the great drawback that it brought up children from their earliest infancy with feelings of hostility one towards the other, and taught them to view with suspicion and dislike those with whom necessarily they had to mingle in after life. The national system was by no means perfect, but in the present circumstances of Ireland no other system appeared to hold out commensurate advantages.

Mr. LEFROY said, he disapproved the principle on which the grant was made, but he was not prepared to sacrifice the practical advantages which would be entailed by the adoption of a Motion such as that of the hon. Member for the King's County. He would, however, ask the right hon. Gentleman the Chief Secretary for Ireland to take into account the hardships which were inflicted on the great body of the Protestant clergy and laity in that country by excluding them from participation in the benefits of the grant. In self-defence they had been compelled to found at their own charges the Church Education Society, which proved its value by the increase in the number of its scholars and the amount of its funds. That the education it afforded was widely beneficial must be evident from the fact that in a single diocese 8,000 Dissenters and 1,600 Roman Catholics were included in the return of attendances. Young men with limited incomes and labourers from their scanty earnings contributed freely to the funds of the society, in order to perpetuate its valuable labours. He hoped a time would yet come when its exertions would receive, as they abundantly deserved, the recognition of the State.

MR. MONSELL said, that to give a portion of the grant to the Church Education Society would be to give a premium to proselytism. He wished, however, to call attention to a point connected with the increase in the salaries paid to masters. In 1843 the amount voted for this purpose was £34,000 ; in 1863 it had increased to £205,000. In the year 1843 the amount paid for inspection was £5,000 ; in the present year it was £22,400. He wished to ask the right hon. Baronet why the convent schools were excluded from the benefit of the increase in the grant to other schools. That increase had risen from £10 to £42 in the female schools, or 400 per cent, while for the convent schools the amount remained the same. All the authorities agreed in affirming the value of the secular instruction given in the convent schools. He believed that no pupil teachers were allowed to be taken in the convent schools. Some relaxation of that rule was much required.

SIR ROBERT PEEL said, the grant to convent schools was between £7,000 and £8,000. He could bear testimony to the admirable education given in these schools. The question of permitting pupil teachers of these schools to be teachers in other schools was, he believed, about to be discussed by the National Board. If the Board should determine that the convent schools should take pupil teachers, they would, of course, receive an increased allowance on that account.

MR. MONSELL said, he thought it hard, that while the allowances to other schools had increased 400 per cent, there had been no increase to the convent schools.

MR. LEFROY said, that the only justification for excluding Church schools was that institutions like the convent schools were also shut out. They were, he believed, schools for Catholics exclusively. He must also deny that the Church Education Society was a proselytizing society. The religious teaching afforded in their schools was confined to the reading of the Scriptures. The charge of proselytism would be more applicable to the convent schools, if indeed they had any Protestant pupils.

MR. MONSELL said, he could assure the hon. Gentleman that very many Protestant children attended the convent schools, and that scrupulous care was taken against proselytism.

THE O'CONOR DON said, he wished to ask for an explanation of the Vote of £100 for a classical instructor for special class teachers.

MR. O'REILLY said, he wished for some explanation with respect to the model farm at Glasnevin. It appeared that for the farm steward an item of £150 was asked ; for the ploughman, £31 ; for drainage, permanent live stock, manure, seeds, and plants, £500 ; for wages of servants, £80 ; and for rent, £723. The total agricultural expenditure—he omitted the expenditure for teaching—was £1,484, and the total probable amount of receipts was set down at £1,600, which would leave a probable profit of £116. Now, it was admitted that any reasonable agricultural returns would yield a profit equal to the rent. But if the whole net profit in that case was £116, and the rent £723, that model farm must be a model set up to be avoided.

MR. W. WILLIAMS said, he considered the Vote altogether unsatisfactory. Whilst there had been a diminution of £38,117 in the education Vote for England, there had been an increase in the Vote for Ireland to the extent of £15,112. He objected to voting money taken from the taxes of the United Kingdom for high-class literary schools. Schools maintained at the public expense ought to be for the use of the children of the working classes. There were not less than nineteen agricultural schools in Ireland, for which it was proposed to vote £5,516. Those agricultural schools were of no benefit to the public, though they might be to the landlords in providing stewards for them. [*A laugh.*] His hon. Friend (Mr. Bagwell) laughed, but perhaps he would not think it unfair to put his hand in his pocket to pay for the education of his own steward. He begged to move the reduction of the Vote by £5,516 for agricultural schools.

Motion made, and Question proposed,

"That a sum, not exceeding £230,500, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for Public Education in Ireland, under the Commissioners of National Education in Ireland."—(*Mr. Williams.*)

Sir ROBERT PEEL said, he hoped that his hon. Friend would not press his Amendment. He was very glad his hon. Friend had been dining when they were discussing the point the other night. In that state of the House (about eighteen Members only were present) he was sure his hon. Friend would not like to gain his point. In answer to the question of the hon. Member for Roscommon (the O'Conor Don), he had to state that the classical teacher was required for a special class of pupil teachers and others, and on a former occasion had received the sanction of the Committee. As to the question raised by the hon. and gallant Member for Longford (Mr. O'Reilly), it was quite true that the agricultural school at Glasnevin had been rather an expensive establishment, but expensive only on account of the outlay necessary for the education of a vast number of persons who were trained there. It was well known that private gentlemen derived considerable advantage from the education which was given in those agricultural schools. The rent of the Glasnevin farm was rather high, because it was close to Dublin, but it grew excellent crops and instructed a large number of persons. He thought £50 a year was about the outside of the expenditure upon draining, which was done gradually year by year, for the purpose of instructing the pupils, who were made to do the work and understand it. Five acres were drained each year, and the whole of the draining and ploughing was done by the pupils. He had a Return of the occupations of those who had been educated in the agricultural model school at Glasnevin from 1858 to 1861; they were 175 in number, and it was not at all true, as stated on a former occasion by the hon. Member for Liskeard (Mr. Bernal Osborne), that they were all emigrating. Of the 175 pupils who had been educated between 1858 and 1861, 68 were farming their own land at home, 41 were land stewards or assistant land agents, 3 agricultural teachers, 9 garden assistants, 10 national school teachers, 9 had gone to Jamaica and Antigua, 14 were clerks in the offices of land agents, 5 had gone to the Cape of Good Hope and Australia, and only 16 had withdrawn from the establishment from delicate health and other causes. Glasnevin was rather expensive; but when they looked to the benefits derived, there was, he thought, no hon. Gentleman from Ireland, or from England either, who would wish to deprive the public of the advantages which unquestionably had flowed from the establishment of those schools. There had already been a diminution of £300 in the Vote in deference to the desire expressed last Session, and further reductions would be made in subsequent years. Besides, the system being now in good working trim, and no new agricultural buildings requiring to be erected, the Vote would of itself diminish.

Mr. DAWSON said, he thought it of the utmost importance to the welfare of Ireland, as essentially an agricultural country, that the agricultural schools should be supported. There might be some faults connected with them, but they had produced very valuable results. The hon. and gallant Member for Longford the other evening had referred to some of the better classes in Ireland who had availed themselves of the schools supported by public grant for the education of their sons. With others of his class, he believed the late Mayor of Derry had done so, not to save his pocket, but from the knowledge that a very superior education was to be got there. He considered that a most laudable example in supporting a system which he believed would be abundantly productive of the greatest blessings to all classes in Ireland.

Mr. HENNESSY said, it was alleged by those who supported the system of national education in Ireland that it was for the children of poor parents, but in truth the schools were resorted to by the children of mayors of towns, solicitors, and others, who were able to pay for their education. Such a system of education would not be tolerated in England for a moment. He believed, that if the case of a national school, similar to that just mentioned, had occurred in England, the Privy Council would have withdrawn their grant.

Mr. O'REILLY said, he could assure the Committee he was as anxious as any one for the success of the agricultural schools. He had visited the Glasnevin school with great pleasure. But he must call attention to the fact of the absence of profit upon them. They could not be model farms if they did not show a reasonable profit. The fact was more remarkable in this instance, because the labour cost nothing.

Mr. M'MAHON said, he thought that if any one part of the Irish system of education was defensible, it was that which related to the agricultural schools of the country, for there was in Ireland a great want of agricultural knowledge. He could not understand why the hon. Member for Lambeth (Mr. W. Williams) should have allowed £122,000 to be voted for science and art, and yet refused the grant for agricultural schools. If it was fit that cheap designers should be had from the schools of science and art, why should they not get cheap stewards from the agricultural schools in Ireland? In France there were agricultural schools in every district, and hence the great progress of agriculture in that country. In Ireland, till of late, they had been importing Scotch stewards; but these almost invariably ruined every gentleman who had employed them. Let them ask any English or Irish farmer if they ever knew of a Scotch steward who had not always failed to attain his end. He trusted that the right hon. Baronet would not yield to clamour against the Vote for agricultural schools. With regard to the Hydrographical and Navigation schools, he thought that, instead of there being only seven of those institutions altogether, there ought to be one established in every principal seaport of the country.

MR. W. WILLIAMS submitted that there were no agricultural schools in England or Scotland supported by public grants, and did not see any cause for a distinction in favour of Ireland. If the Chief Secretary would promise to make a gradual reduction in the respect pointed out, he would withdraw his Amendment, but not otherwise. He also wished to call attention to the item of £7,500 for mistresses to teach the higher branches of needlework, which he thought was very extravagant.

MAJOR HAMILTON said, that in answer to the Member for Wexford he had hitherto believed that a great boon was granted to Ireland by sending over to that country good Scotchmen with capital. The hon. and learned Member appeared, however, to think they had hitherto been sending Scotchmen there with no capital. He could tell the hon. and learned Member how that evil might easily be avoided. Let him vote with the hon. Member for Lambeth that no public money be voted for any purpose whatever in Ireland, and then he might be certain that no Scotchman without capital would go there.

SIR ROBERT PEEL said, he had so high an opinion of Irish talent that he had engaged an Irishman on his own estate instead of a Scotchman. With respect to the Vote for teachers of the higher branches of needlework—a matter which the hon. Member for Lambeth could not possibly understand—these teachers received only £10 a year each, an amount surely to which exception could hardly be taken fairly. If the hon. Member examined the Educational Votes for England, he would find items there for agricultural schools as well as for instruction in kitchen and laundry work.

Question put, and *negatived.*

Original Question put, and *agreed to.*

(2.) Motion made, and Question proposed,

"That a sum, not exceeding £12,028, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for the Expenses of the National Gallery, including the purchase of Pictures."

MR. CONINGHAM said, he rose to move that the Vote be reduced by £1,400 in the item of incidental and travelling expenses. He regarded the interference of the Government for the support of science and art as injurious rather than beneficial. The Vote for the National Gallery had been immortalized in Mr. May's able work on Constitutional History. Formerly an agent was employed, at a salary of £300, to travel over the Continent in order to purchase pictures for the National Gallery. A division was taken in that House against the item of £300 for that gentleman's salary, and the item was struck off. But an item of £600 remained on the Estimates for the payment of travelling expenses; and there was good reason to believe, that although that House had struck off the item for the German travelling agent, that agent was still employed by the authorities of the National Gallery, and remunerated out of the sum voted for travelling expense. That sum stood before at £600; but it had since risen to £2,000; and what he wished to know was, how that amount was made up, what proportion of it went for travelling expenses, and how much for incidental and other expenses. Unless he received a satisfactory explanation as to the mode in which the money was applied, it would be his duty to take the sense of the Committee on his Amendment. The authorities of the National Gallery were in the habit of lending pictures to other public institutions, but the pictures so lent were not of such a character as was likely to improve the public taste. In the concluding paragraph of the Report appended to the Vote it was stated that a regulation had been introduced providing that "with the exception of dusting and wiping," no operation coming under the description of varnishing, cleaning, or restoring should be undertaken without the sanction of the trustees, to be communicated by the keeper. That regulation was the result of constant protests made in that House. He would move, as an Amendment, that the item be reduced by £1,400.

Motion made, and Question proposed, "That the Item of £2,000, for Incidental Travelling Expenses, Agency, &c., be reduced by the sum of £1,000."—(*Mr. Coningham.*)

Mr PEEL said, the sum of £2,000 was not intended merely for travelling expenses and agencies, but also for all the temporary and miscellaneous expenses connected with the National Gallery, such as the carriage and framing of the pictures; and the amount asked could not, therefore, be considered extravagant. With regard to travelling expenses and agencies, no larger sum than £650 was allowed, and the actual expenditure did not generally exceed £500.

Mr. W. WILLIAMS said, that the total Vote was larger by £4,075 than the Vote of last year, and the expenditure was principally for the purchase of pictures.

Mr. AUGUSTUS SMITH said, he thanked the hon. Member for Brighton for calling attention to the item, because the expenditure ought to be more accurately explained in the Estimates. He conceived that the sum allowed to the travelling agent was too large, when considered in connection with the amount dispensed in the purchase of pictures.

Mr. CONINGHAM said, that he originally objected to any sum being devoted to travelling expenses, for he thought it a perfect delusion to send all over Europe a travelling agent to purchase pictures. When the agent arrived in a continental town, it was said that the man with the purse of the British taxpayers was come to purchase pictures, and the pictures rose 100 to 200 per cent in value. He thought that the gentlemen in charge of the national pictures were utterly blind; at least, they never saw the merits of a picture until it got into the hands of some dealer, who asked 500 per cent for his bargain. For instance, a picture was purchased the other day at Christie's for £500 or £600, which was at the sale of the former proprietor knocked down for a trifling sum. Why did not the trustees of the National Gallery get the picture when it could be obtained cheap? Nevertheless, after the explanation given by the right hon. Gentleman, he should withdraw his Amendment.

Mr. GREGORY said, he thought that his hon. Friend the Member for Brighton was too great a lover of art to make any serious objection to that particular item. It was perfectly clear, that as the vast majority of the Italian pictures would not come to the English, the English must go to the pictures, and the pictures could not be obtained except by means of agents. Sir Charles Eastlake, when he went abroad, did not raise the price of pictures. That gentleman visited all the galleries, ascertained the value of any pictures that it might be desirable to add to the national collection, and easily found an agent to purchase them whenever the opportunity occurred. He was thus enabled to make a good selection at a cheaper rate than by public competition. An example of that was afforded by the picture purchased at Christie's, to which the hon. Gentleman alluded. If the English agent had seen that picture in the gallery in Italy, he would probably have got it for the sum for which it was originally sold—he thought £200. If his hon. Friend went to the National Gallery, and saw two or three pictures there purchased by Sir Charles Eastlake last year, he would be satisfied that it was fortunate that the country had a person of so much tact, judgment, and knowledge to undertake the selection of the national pictures.

Motion, by leave, *withdrawn.*

Mr. MITFORD said, he would recommend that greater facilities should be given to the public to see the national pictures. On the four public days in the week the Gallery was so crowded that it was impossible to see the paintings with any comfort or advantage, and he would suggest that on the two remaining days, devoted to students, such of the public as chose to pay sixpence or a shilling for admission should be allowed to enter. He thought the students would probably derive great advantage from such an arrangement, as many might succeed in finding purchasers for the copies they were engaged in making.

MR. COWPER said, he concurred with the hon. Gentleman in thinking it was desirable there should be some quiet days, when those who took a special interest in pictures might find themselves in the Gallery undisturbed by a crowd. He did not, however, believe that that advantage would be effected by exacting on certain days the payment of sixpence or a shilling, because he had observed that exhibitions at which such a payment was exacted were frequently very densely thronged. The matter, however, was one which the trustees might fairly take into their consideration.

MR. MITFORD said, those other exhibitions which the right hon. Gentleman referred to as being thronged, though money was paid for admission to them, were not open gratuitously four days in the week, as was the case with the National Gallery.

MR. CONINGHAM contended, that it would be perfectly easy, taking the pictures at the National Gallery *seriatim,* to show that a very large number had been purchased by Sir Charles Eastlake, which ought never to have been bought for that institution, while others might have been purchased for a much more reasonable amount than the sums given for them. It was, however, to the credit of Sir Charles Eastlake that he seemed to have profited by the discussions on the subject of the National Gallery which had taken place in that House.

MR. HEYGATE said, he thought the rules which regulated the class of pictures to be bought for the National Gallery ought to be made somewhat more elastic, and that Sir Charles Eastlake ought to be permitted to buy from time to time pictures illustrative of cotemporary history possessing national interest and of intrinsic merit.

MR. PEEL said, there was no rule precluding the purchase of modern pictures. Paintings, the work of Gainsborough and Sir J. Reynolds, had, for instance, been bought during the previous year.

Original Question put, and *agreed to.*

(3.) £1,500, British Historical Portrait Gallery.

MR. CONINGHAM complained of the absence of detailed explanation of the Vote. He knew of pictures of great interest being entirely overlooked within the last few months by the authorities of the Gallery. In his opinion, none but model works of the highest class should be purchased for the galleries of the nation.

MR. PEEL promised to consider whether fuller information could not be furnished.

MR. BRISCOE said, that it was, in his opinion, a complete misapplication of the public money to purchase works which were a disgrace to the gallery. Only works of the highest art out to be bought for such institutions.

MR. LOCKE said, it was in no degree the object for which the gallery was formed to elevate art. It would be utterly impossible to collect togeher portraits of all sorts of characters, of all sorts of appearances, possessing great artistic merit.

MR. BRISCOE said, his remarks referred as well to the previous Vote as to that immediately under discussion.

Vote *agreed to;* as were also the following:—

(4.) £3,141, to complete the sum for Magnetic and Meteorological Observations, &c.

(5.) £500, Royal Geographical Society.

(6.) £1,000, Royal Society.

(7.) £4,200, Bermudas.

(8.) £4,288, Ecclesiastical Establishment, British North American Provinces.

MR. AUGUSTUS SMITH said, he wanted to know whether the charge was in process of diminution, or whether vacancies were being filled up as they occurred.

MR. CHICHESTER FORTESCUE stated that for many years past the Vote had been in course of diminution, the salaries only continuing for the lives of the present holders.

Vote *agreed to ;* as was also—

(9.) £1,438, Indian Department, Canada.

(10.) £17,121, to complete the sum for British Columbia.

MR. W. WILLIAMS said, he noticed that there was a reduction in the Vote of £9,000 for British Columbia that year. The colony, however, was highly prosperous, and therefore he thought it time that the whole was at an end.

MR. CHICHESTER FORTESCUE said, that almost the whole of the Vote had been incurred in the first starting of the colony; and although only a young colony, the time had already arrived when she paid her own expenses. The Royal Engineers were about to be recalled.

Mr. CAIRD said, he wished to ask whether it was intended to appoint a separate resident Governor.

Mr. CHICHESTER FORTESCUE said, his noble Friend the Secretary of State was about to bring in a Bill for the Government of British Columbia, and he did not wish to anticipate the full statement of the intentions of the Government which would then be made.

Vote *agreed to.*

(11.) £2,500, Vancouver's Island.

Mr. W. WILLIAMS asked whether the Vote was the last payment.

Mr. CHICHESTER FORTESCUE said, it included the last farthing which was to be paid to the Hudson's Bay Company. An item of £5,000 was in dispute, and, to avoid long and expensive legal proceedings, it had been arranged to divide the amount and pay one-half.

Mr. Alderman SALOMONS asked, whether Vancouver's Island was now the absolute property of the Crown.

Mr. CHICHESTER FORTESCUE said, it was so entirely.

Vote *agreed to.*

(12.) £21,745, to complete the sum for Governors, &c., West Indies, and other Colonies.

Mr. M'MAHON said, he would suggest that some means might be provided to reduce the number of governorships in these small islands. They might as well pay the Chairmen of Vestries of large metropolitan parishes, which were of more importance than some of the Colonies.

Mr. W. WILLIAMS asked for explanations as to the Governors of Jamaica.

Mr. CHICHESTER FORTESCUE said, that last year a very wise arrangement was made, by which a very old and bad debt due by Jamaica was converted into a fixed perpetual annuity, out of which, after next July, the whole salary of the Governors would be paid. As to reducing the number of Governors, however small and insignificant these islands were, they formed separate and distinct communities, and must each have some officer to administer their affairs.

Vote *agreed to;* as was also—

(13.) £9,000, Stipendiary Justices, West India Colonies.

(14.) Motion made, and Question proposed,

"That a sum, not exceeding £10,230, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for the Civil Establishments on the Western Coast of Africa."

Sir FRANCIS BARING said, he wished for some explanation with regard to the Vote, seeing that £2,000 only appeared in the items as the cost of the civil establishments of Lagos. Lagos was a small island of no consequence in itself, but it was important from its position in reference to the trade with Africa. If they were anxious to get rid of the iniquitous slave trade, the most effectual way was to encourage legitimate trade. They, however, had raised the taxation upon the trade of that port from £3,000 to £16,000, and this proceeding was, he thought, most hostile to the best interests of Africa, for it placed the trade at Lagos in a most uncomfortable position, and indeed trade was being driven from that place to another port. The governor of Lagos had since laid claim to the second port—for which claim, however, it appeared there was no foundation; but he could only speak from imperfect information upon the matter, as the Government had refused to furnish the papers in reference to it. He also desired to express his disgust at learning that a portrait of the Queen had been presented by one of Her Majesty's agents to the King of Dahomey, the most notorious slave-dealer and murderer in Africa, at the very time that he was preparing for an attack on Abbeokuta. Other transactions of a most unfortunate character had taken place, which would lead the people to believe that we were favourable to the King of Dahomey and his barbarities. Our object on the coast of Africa was not territorial aggrandisement, but the spread of civilization and the stoppage of the slave trade. But grabbing at every bit of land was not the way to attain that object. Our policy ought to be to encourage the self-government of the Africans, to support those who were willing to make treaties with us to put an end to the slave trade, but not in any shape or in any way to exhibit an inclination to take possession of all the land we could lay our hands on. He concluded by moving the omission from the Vote of the item of £2,000 for the establishments at Lagos.

Motion made, and Question proposed, "That the Item of £2,000, for the Civil

Establishments at Lagos, be omitted from the proposed Vote."—(*Sir Francis Baring.*)

MR. CHICHESTER FORTESCUE said, he fully admitted the right of the right hon. Gentleman to draw attention to a subject in which he had always shown so much real interest, but he hardly expected that he would have taken so much pains to object to so small a Vote in aid of an establishment which was only in its second year of existence, and which, if it were to extend at all, might fairly apply for some small assistance from Parliament. Lagos was required for the purpose of putting down the slave trade, and of establishing a legitimate commerce, and the Colonial Office was doing its best to administer its affairs in a satisfactory manner, but it was not surprising that the House of Commons should be asked for some small assistance in starting the settlement on its career. Hitherto, of course, the expenditure had been of an exceptional kind, and was not to be reckoned as the ordinary expenditure of the local Government. There was every reason to believe that from that time forward Lagos would be able to pay its own way. The accounts now received were of the most favourable kind, and there could be little doubt that both financially and commercially Lagos would turn out before long the most successful British settlement on the coast of Africa. The worst thing to be said of it was, that it would necessarily cause a considerable loss of European life; but he hoped that when money had been spent in paving and draining, the danger to health would be much diminished. He had no reason to think that the customs duties would be unfavourable to commerce. They were very moderate in amount, and they would be expended in promoting security to life and property, which were the very soul of trade. He regretted as much as the right hon. Baronet the collision that had occurred, but it arose in consequence of a dispute between the establishment and some traders who preferred the wild government of a chief who imposed no taxes to the government of the British and the imposition of moderate customs duties, which were expended to the signal advantage of the colony; and when a peaceful mission, consisting of eleven white soldiers and a handful of black policemen, was sent out, they were set upon by some of the native troops and several killed. That was followed up by a great destruction of property, and other warlike acts, which rendered it necessary for the Lagos authorities to take active steps against the chief in question, and make an example of him. From the time they had had possession they had shown the greatest moderation. The chiefs of the place, seeing their moderation, thought they would tolerate anything, but they found themselves mistaken. With respect to Abbeokuta, he thought his right hon. Friend's fears were exaggerated. The ports of this district were blockaded for a time; no lives were lost, and in the end Abbeokuta came round, and complied with the demands required of her. With respect to Dahomey, it was not a British Colony, and he hoped it never would be. But he had no such fears as his right hon. Friend had expressed, that the king of that settlement would not yield to the representations that had been made to him. On the contrary, he was inclined to suspect that the conciliatory conduct pursued by Commodore Wilmot would have a better effect than his right hon. Friend seemed to anticipate. He hoped the Committee would agree to the Vote.

LORD ALFRED CHURCHILL said, he considered that the Vote was a very fair one, and such as the Committee might very well agree to. The effect of the establishment of Lagos as a British Colony had been to put a decided check upon the slave trade on the West Coast of Africa, and he had no doubt that the financial results of the step would, before long, be very satisfactory, notwithstanding the establishment of a free port by the French at Porto Novo, and their rumoured advances into Dahomey. He was not at all disposed to look with jealousy upon the increase of French interests in that colony, as he thought it would, on the whole, have a beneficial and civilizing effect, although the slave trade undoubtedly was carried on under their auspices. He would add, that he thought that the missionaries at Abbeokuta were not altogether free from blame in reference to the differences between them and Governor Freeman.

MR. BUXTON said, it would be a great mistake to disallow the Vote, as the possession of Lagos would materially aid in stopping the slave trade. The unfortunate circumstances which had recently occurred with reference to their relations with Abbeokuta, he attributed almost, if not entirely, to the injudicious conduct of Governor Freeman, who, he hoped, would be recalled forthwith. He thought that Commodore Wilmot had acted rightly in adopting a conciliatory tone towards the

King of Dahomey; but he could not approve the statement in that gallant officer's despatch, that it would never do for the King to abolish human sacrifices at one blow. He also thought his conduct was reprehensible, in assisting, apparently without any protest, at the so-called "human sacrifices" of Dahomey. He concurred with the noble Lord (Lord A. Churchill) in thinking it would be a mistake to view the French establishment with jealousy; but they must not forget that the Emperor of the French had constituted France one of the slave-trading Powers of the world by the free emigration scheme on the coast of Africa.

Mr. CAVE said, the question was, whether any means of the kind adverted to by the hon. Gentleman the Under Secretary for the Colonies would really put an end to the slave trade. Nothing less would justify the sacrifice of European life entailed by that deadly climate. He considered that this was hopeless so long as, while attacking the slave trade with one hand, we gave it the greatest encouragement with the other. He believed that negotiations with savage chieftains was a a waste of time. Two envoys had been sent to the King of Dahomey, and one of those Gentlemen thought he had made a great impression by his statement of the value of the palm-oil trade in comparison with the slave trade. The King heard him very patiently, and then merely said that the slave trade was very profitable and that palm-trees took a long time to grow. Another envoy, who tried to induce the King to put an end to the barbarous massacre which every year took place, was promised a good position to see them. That was all the good done by these missions. With regard to the French settlements, he felt no jealousy of them, for there was room enough for all, but those settlements certainly did not conduce to the civilization of the people and the stoppage of the slave trade; for it was notorious that a virtual slave trade was carried on by the French themselves from both the West and East Coast of Africa. He should not oppose the Vote, for he thought that this small sum of money was well applied in teaching the natives the value of legitimate commerce and free labour; but as long as the price was sufficient to compensate for the risk run, it was not likely that the slave trade would be put down.

Mr. LAYARD said, he regretted to hear the remarks made upon Commodore Wilmot, who was an officer of great humanity and of strong religious feeling, and no man could have a stronger detestation of the slave trade and of the horrible "customs" of the King of Dahomey. Commodore Wilmot was not under instructions from the Government when he visited the King of Dahomey; but being there, he availed himself of the opportunity to urge upon the King to stop the slave trade, and put an end to the massacres. He was in a very difficult position, having either to withdraw from Dahomey, and thereby give the King great offence, or remain at the capital during the performance of these rites, without being an actual witness of them. He strongly reprobated what took place, but thought it advisable to remain, and told the King that the British Government would, no doubt, enter into some alliance with him if he would abolish the slave trade, and put an end to these horrible customs. The Government intended to follow up that attempt by Commodore Wilmot, and send another envoy to try to accomplish these objects. As to the Abbeokutans, who, in defiance of treaty, had again engaged in the slave trade, the Government had strong ground of complaint against them. But there existed at Abbeokuta an influence adverse to British interests there, and the British Consul who had been sent there was sent back with considerable indignity. The Abbeokutans had plundered the people of Lagos, and Governor Freeman was compelled to blockade the place. That blockade had now been raised, but the effect had been good, and he trusted that the people of Abbeokuta would henceforth see the expediency of maintaining good relations with us.

Sir FRANCIS BARING, in reply, complained that not one word had been said in explanation of the expenditure at Lagos. As to the hostile influence said to exist at Abbeokuta, he presumed that the hon. Gentleman referred to the mission there, and he thought that in justice the defence made by the mission should be laid before Parliament. It was no wonder that the Consul was not graciously received by the Abbeokutans. They were well aware that Lagos was not taken possession of by our Government till after we had sent a Consul there; and they were afraid that if a Consul were allowed to remain in Abbeokuta, their fate would be like that of the people of Lagos.

Mr. CHICHESTER FORTESCUE explained that the Vote was in general aid of the civil establishments at Lagos. The sum asked was so small that there was little reason to object to the amount left at the disposal of the Governor.

MR WHITE said, that the revenue from Lagos was £16,000, and he should like to know how that revenue was distributed.

MR. W. WILLIAMS said, he wished to know what was the meaning of an item of £2,000 for a steamer, when the whole salaries of the Governor, Judge, and two other officers were only £2,230.

MR. CHICHESTER FORTESCUE explained, that the steamer was of essential service in the public service up the river.

Question put, and *negatived.*

Original Question put, and *agreed to.*

The following Votes were then *agreed to*:—

(15.) £5,602, St. Helena.

(16.) £700, Orange River Territory (Cape of Good Hope).

(17.) £5,000, British Kaffraria.

(18.) £960, Heligoland.

(19.) £4,286, Falkland Islands.

(20.) £4,850, to complete the sum for Labuan.

(21.) £300, Pitcairn's Islanders in Norfolk Island.

(22.) £26,622, Civil Establishment in New Zealand.

(23.) £5,000, Buildings at Cape York.

(24.) £6,720, to complete the sum for Emigration.

(25.) £116,543, to complete the sum for the Consular Establishments Abroad.

(26.) £71,054, to complete the sum for Establishments in China, Japan, and Siam.

(27.) £23,000, to complete the sum for Extraordinary Disbursements of Her Majesty's Embassies and Missions Abroad.

(28.) £30,000, to complete the sum for Special Missions, Diplomatic Outfits, &c., Colonial Officers and others.

(29.) £2,825, to complete the sum for Salaries of Third Secretaries at Her Majesty's Embassies and Missions Abroad.

MR. DODSON observed, that in 1861 there were thirty-seven attachés paid out of the Consolidated Fund, and now the salaries of thirty-two others were asked for. He wished to know how many unpaid attachés there were, and where those others were attached. The Secretary of State had unlimited power to appoint unpaid attachés; and as long as the House was not called upon to vote money, it did not matter; but as they were called upon to grant Supply, they were entitled to information.

MR. LAYARD said, the Vote was the consequence of a recommendation of the Committee which sat upon the diplomatic service about three years since. The new system certainly appeared to have contributed to the public advantage. Unpaid services were not generally desirable, and, he thought, not economical. The object in view was to reduce the number of attachés and to bring diplomacy into a profession. That could only be done by paying the members of the diplomatic service; and it had been decided, on mature consideration, that after a period of four years' service a salary of £150 should be paid to attachés, if they succeeded in passing a certain examination. There would be no objection to furnish information as to the number of attachés and secretaries to each embassy.

MR. DARBY GRIFFITH said, he thought the value of the diplomatic service was very much reduced by the telegrams, which anticipated their despatches.

Vote *agreed to.*

(30.) £4,300, North American Boundary Commission.

MR. PEEL, in reply to Mr. W. WILLIAMS, stated that the Commission had returned to this country, but they had not yet made their final Report.

Vote *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow*; Committee to sit again *To-morrow.*

PUBLIC WORKS (MANUFACTURING DISTRICTS) [ADVANCES].

COMMITTEE.

Considered in Committee.

(In the Committee.)

THE CHANCELLOR OF THE EXCHEQUER rose to move the following Resolution:—

> "That the Commissioners of Her Majesty's Treasury be authorized to issue, out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, to an amount not exceeding £1,200,000, upon security of local rates, for facilitating the execution of public works in certain manufacturing districts."

That Resolution was simply a formal supplement to the measure introduced by the President of the Poor Law Board for the purpose of making advances for the execution of public works in Lancashire. The provisions of the Bill had been several times discussed in the House, and he believed there was a general concurrence in the wisdom and policy of the proposals made by the Government on the subject. According to the best information which his right hon. Friend had been able to obtain, it was probable, that if the Lancashire distress should continue — if the number of unemployed operatives should remain as great as it then was, and the prospects of the coming winter should not be improved by a much larger accession to the supplies of cotton than there was then reason to expect—the amount of public money likely to be required within the next twelve months for useful works in Lancashire might rise as high as £2,000,000. But in a case of that kind it hardly ever happened that the full sum estimated to be spent within a certain time was actually spent within that time; and, moreover, long before the twelve months had elapsed Parliament would be sitting, and the Government would be enabled to call its attention again to the matter. Therefore, without wishing unduly to stint the supply of money for the purpose, provided the security was good and the works were well considered, he did not think it desirable to ask the House at the present moment to vote a larger sum than was likely, as far as they could judge, to be required before Parliament should have an opportunity next Session of re-considering the question. Under the operation of Acts in force, the Government had about £300,000 available for public works without any fresh legislation. With the addition of the £1,200,000 which they proposed to vote, they would thus have the command of a million and a half, to be dispensed upon public works in the manufacturing districts. By the present Resolution, and his right hon. Friend's Bill, they did not propose to provide any money, but only took authority to spend money supposed to be provided from other sources. The Exchequer balances on the last quarter-day were considerably beyond what was necessary for the ordinary public expenditure, and the margin had been made use of in the present quarter for the discharge of a million of Exchequer bonds and something more than a million of Exchequer bills. They had obtained an Act during the present Session authorizing them to re-issue, in case of need, that million of Exchequer bonds, while they had also statutory power to re-issue within the financial year any Exchequer bills paid off within that year. Consequently, their power of replenishing the Consolidated Fund in case of need went beyond £2,000,000, and there would therefore be no difficulty in providing the £1,200,000 included in the Resolution which he now begged to move.

MR. HENNESSY said, he was sure no one would object to the proposal of the Government, and certainly an Irish Member would be the last person to do so; but he wished to take that opportunity of thanking the right hon. Gentleman for what he had said the other night on the subject of public works in Ireland, and of expressing his satisfaction at the gratifying account just given of the state of the Exchequer balances. He also wished to direct the right hon. Gentleman's attention to a practical point connected with public works in Ireland. Mr. Bateman, an officer who had been employed by the Government had made a Report on the navigation of the Shannon. Certain works undertaken some years ago by the Government for improving the navigation of that river had, owing to the mistakes of the Government officers, interfered prejudicially with the navigation, and flooded the banks of the Shannon. Mr. Bateman calculated the loss thus inflicted on the owners of the adjacent property at £30,000 per annum, and suggested that the Government should take the matter up, and either complete these works or have them removed. He hoped the Government would give them an assurance that they would take action on Mr. Bateman's Report, and carry out the Chancellor of the Exchequer's remarks the other night—the only remarks made on the Treasury Bench for a long time which had given satisfaction in Ireland.

THE CHANCELLOR OF THE EXCHEQUER said, he was glad if anything said by himself had given satisfaction in Ireland or elsewhere, because it was the lot of persons who held the office which he then had the honour to fill generally to give rise to dissatisfaction. The hon. Gentleman, however, would do him the justice to observe that what he said the other night had reference to a particular class of works. The navigation of the Shannon was not the subject before them; and if the Government proceeded in that matter at all, it must be with relation rather to what had been done already than to any abstract principle. The history given by the hon. Gentleman himself of these works showed the necessity for great care and caution in such matters.

Resolved,

That the Commissioners of Her Majesty's Treasury be authorized to issue, out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, to an amount not exceeding Twelve Hundred Thousand Pounds, upon security of Local Rates, for facilitating the execution of Public Works in certain Manufacturing Districts.

House *resumed.*

Resolution to be reported *To-morrow,* at Twelve of the Clock.

NEWCASTLE-UPON-TYNE (ST. MARY MAGDALEN HOSPITAL) BILL.

[BILL 162.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 8 *agreed to.*

Clause 9 (Sale of the Advowson).

Mr. LYGON said, that while he admitted that it might at times be desirable to sell an advowson in order to augment a living, he objected to the sale of the presentation to the new district to be created under the Bill out of the funds of the charity. He therefore moved an Amendment, providing that it should be placed in the gift of the Bishop of the diocese.

Mr. LIDDELL said, he must oppose the Amendment. The advowson was to be sold to augment the funds of the charity. That arrangement had been a matter of compromise, and he believed that the present scheme met with the general approbation of the town at large.

Mr. HEADLAM urged the Committee to make no material alteration in the Bill, which was the result of a compromise.

Mr. LOWE said, a municipal corporation was notoriously a bad patron. It was proposed to sell the advowson, and to apply the proceeds in aid of the medical charity. The Amendment of his hon. Friend would deprive the charity of that money.

Mr. COLLINS said, he believed that the patronage would be better placed in private hands than in those of the Bishop, but recommended his hon. Friend not to divide.

Mr. G. CUBITT contended that the arrangement proposed in the Bill would introduce an entirely novel principle.

Mr. LOWE said, he did not think mere novelty mattered much if the step were right in itself.

Mr. LYGON said, he would withdraw his Amendment.

Clause *agreed to.*

Clauses 10 and 11 *agreed to.*

Schedule.

Mr. LYGON said, he would then move the omission of section 12, which would give a sanction to the odious and improper system of pew rents.

Mr. LOWE said, there were in the chapel 100 free seats and 188 seats paying pew rents. The proposition was, in effect, that the revenue hitherto enjoyed from that source should be cut off.

Amendment proposed, to leave out paragraph 12.—(*Mr. Lygon.*)

Question put, "That paragraph 12 stand part of the Schedule."

The Committee *divided:*—Ayes 59; Noes 11: Majority 48.

House *resumed.*

Bill *reported;* as amended, to be considered *To-morrow.*

STIPENDIARY MAGISTRATES BILL.

[BILL 189.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. H. B. SHERIDAN moved that the House go into Committee on this Bill.

Mr. LYGON moved as an Amendment that the House go into Committee on that day three months.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day three months, resolve itself into the said Committee,"—(*Mr. Lygon,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. H. B. SHERIDAN said, the Bill would apply only to places in which there were 25,000 inhabitants, and he hoped the Amendment would not be pressed.

Sir GEORGE GREY said, he entertained certain objections to the Bill, and had prepared Amendments to meet those objections.

Mr. COLLINS suggested that the Bill should be committed *pro formâ,* with a view to having the Amendments printed.

Mr. LYGON said, under those circumstances he should withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill *considered* in Committee.

House *resumed.*

Bill *reported ;* to be *printed,* as amended [Bill 189] ; *re-committed* for *Tuesday* next.

ENGLISH CHURCH SERVICES IN WALES (*re-committed*) BILL (*Lords*)—[BILL 190.]

COMMITTEE.

Bill *considered* in Committee [*Progress* 22*nd June*].

(In the Committee.)

COLONEL PENNANT moved to omit Clause 2, and to insert the following Clause—

(Provided, however, That in case the said incumbent shall fail or refuse to nominate a fit and proper person as minister to such chapel, or in case any disagreement or dispute shall arise between the persons so applying and the incumbent, either in respect of the sufficiency of the said services, or of the provision for the performance of such services, or for the minister, or in respect of the minister to be nominated, then the bishop of such diocese (after the expiration of three calendar months from the receipt of such application as aforesaid, due notice of such application having been giving by the persons so applying to the incumbent,) may signify in writing to the incumbent the name of the minister whom it is his intention to nominate as the officiating minister of such chapel; and in case the incumbent shall not, within fourteen days from such last notification, signify in writing his dissent to such nomination, it shall be lawful for the bishop to nominate and license such minister: Provided, nevertheless, That in case the incumbent shall, within the same fourteen days, signify his dissent therefrom, such nomination shall be referred by the said bishop to the archbishop of the province in which such diocese shall be situated, and such licence shall not be granted without the approval in writing of the said archbishop,)—(*Colonel Pennant,*)

—*brought up*, and read 1°; 2°.

MR. LYGON said, he would propose to insert in the new clause words which would have the effect of making competency to perform the services in English the only thing that should be indispensable in the minister appointed.

Amendment proposed, in line 6, after the word "nominated," to insert the words "to perform divine service in English."—(*Mr. Lygon.*)

MR. H. A. BRUCE said, he must oppose the Amendment, on the ground that ability to perform the services in English was not sufficient; they should be performed in an intelligent manner.

Question put, "That those words be there inserted."

The Committee *divided* :—Ayes 6; Noes 46: Majority 40.

House *resumed.*

Bill *reported,* with Amendments; as amended, to be considered on *Thursday* next, and to be *printed.* [Bill 190.]

POOR REMOVAL (No. 2) BILL [MR. HERBERT].

[BILL 96.] BILL WITHDRAWN.

Order for Committee read.

MR. HERBERT said, the Amendment carried the other evening destroyed the Bill, and he should therefore move that the order be discharged.

Order *discharged.*

Bill *withdrawn.*

PRISONERS REMOVAL (SCOTLAND) BILL.

On Motion of The LORD ADVOCATE, Bill to remedy certain defects in the Law relating to the Removal of Prisoners in Scotland, *ordered* to be brought in by the LORD ADVOCATE and Sir GEORGE GREY.

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Friday, June 26, 1863.

MINUTES.]—PUBLIC BILLS—*First Reading*—Sir Robert Hicham's Charity* (No. 165); Ruthin Charities* (No. 166); Walmer Vesting* (No. 167); Postmaster General (Sale of Land)* (No. 168); Port Erin Harbour (Isle of Man)* (No. 169).

Second Reading—Inclosure (No. 2)* (No. 161).

Committee — Regimental Debts, &c.* (No. 141); Innkeepers' Liability* (No. 142).

Report—Innkeepers' Liability*; Leases and Sales of Settled Estates Act Amendment* (No. 158).

Third Reading—African Slave Trade Treaty* (No. 129); Security from Violence* (No. 157); Inland Revenue* (No. 128); Militia Pay*; and severally *passed.*

THE SLAVE TRADE AND SPAIN.

QUESTION.

LORD BROUGHAM asked, If the Report of Commodore Wilmot in reference to his visit to the King of Dahomey, and which appeared in the Papers recently presented to the House on the subject of Brazil, had been communicated to the Government of Spain? If it were not, he trusted that it would be communicated without delay. He did not think that any Spaniard could read that Report without feelings of shame. Commodore Wilmot said the King of Dahomey stated that he did not send the slaves away in his own ships, but that white men came for them, and if there was any harm in his selling them, they ought to prevent white men coming for them. This country had long since given up the odious and detestable traffic, and he was proud to say that he gave the finishing stroke to it by bringing in a Bill making it a penal offence to engage in that trade. Since that time, we had not been contaminated by a vestige of it. Spain had engaged by treaty to forbid its subjects from carrying on the trade and to aid in its suppression, and she received more than £400,000 from this Government by way of compensation for giving it up. But she did not fulfil her engagements, and there were now imported into Cuba no less than 23,000 slaves a year. He trusted that his noble Friend would communicate this document to the Spanish Government and remonstrate with them on their conduct. There were ways and means by which we might compel Spain to observe the stipulations of the treaty. He had always thought it mistaken policy in this country to admit slave-grown sugar at the same duty as we admitted free-grown sugar, and one great means of suppressing the slave trade would be to impose a higher duty on slave-grown sugar than on free.

EARL RUSSELL said, he had no objection to send Commodore Wilmot's Report to the Spanish Government. It was not correct to say that the Spanish Government protected the slave trade. On the contrary, they said it was abominable and most inhuman, and they employed means to put it down.

BETHLEHEM HOSPITAL.

PETITION. PAPERS MOVED FOR.

THE EARL OF SHAFTESBURY, after presenting a Petition from residents in Newington, Lambeth, Rotherhithe, &c., in favour of the removal of this Hospital from its present site, said: This Petition represents the opinion of the whole mass of the population who live on the other side of the water; and I bring this question before your Lordships because the property is public property, and the Governors of the Hospital are public functionaries. In doing so I wish to point out the necessity for taking immediate steps to effect the removal of Bethlehem Hospital to some place better adapted for the care and treatment of lunatic patients. Of late years great progress has been made in the system of treatment, and it is found that a cheerful situation, open space, plenty of means of air and exercise, are absolutely required. For a large class of those patients, cultivation of the ground, by the plough or spade husbandry, and for others in a more elevated condition of life, pleasant walks, and the means of practising horticulture and the cultivation of plants are of primary importance. For these purposes it is impossible to find a worse situation than the one occupied by Bethlehem Hospital; and although, with the enormous revenues which are attached to the institution, it ought to be the model not only in England, but in Europe, it certainly is far from being a model, whether in site, construction, or treatment. The whole site is not more than seventeen acres, and it is situated amid a dense and rapidly-increasing population. The windows of adjoining buildings overlook the gardens, and exercise in the open air free from observation is impossible. As to anything like agricultural occupation, it is manifestly out of the question, and there is no sufficient space for gardening. About four years ago, so strong was the opinion of the Commissioners of Lunacy on the subject of the site, that when an application was made by the corporation of London, in asserting the right to send their pauper lunatics to Bethlehem, they reported as follows:—

> "Having reference to the question of the reception into Bethlehem Hospital of the pauper lunatics of the City, the Commissioners are decidedly of opinion that such an arrangement would, for many reasons, be most undesirable and objectionable. The site of the Hospital and the limited amount of land available for the exercise and occupation of the patients are among the reasons which may at once be specified. Entertaining these views, the Commissioners, acting consistently with the course they have uniformly taken in this matter, and with the reasons they have given for suggesting the removal of the institution from its present populous locality into the country, trust that Mr. Secretary Walpole will not encourage the expectation that the appropriation of Bethlehem Hospital to the purposes of a City pauper asylum would ever receive the sanction of the Secretary of State. The Commissioners are of opinion, that even were the Hospital premises in the possession of the City authorities, they would be entirely unfit for the proper care and treatment of their insane poor."

In 1858, the Commissioners (of whom I have the honour to be one) told the corporation, that the Commissioners would not allow them to send their pauper lunatics to Bethlehem, because it was not adapted to the care and attention of lunatics which was essential to their health. We also take exception to the present construction of the building. We maintain that it is most unfit for the purpose. In harmony with the principles now entertained, such buildings should be cheerful, open to the sun, and with nothing to depress the spirits. Without moral treatment, medical treatment will often fail, and moral treatment alone will often succeed without medical treatment. This building was constructed at a time when strait waistcoats were in vogue, and every patient was immured in a gloomy cell. Though not intended for a prison, it was constructed upon the same principles as a prison. We say—

> "A most important objection to Bethlehem Hospital, as a place for the treatment and cure of insanity, remains to be noticed—namely, the unfitness, according to modern opinions, of the building, in respect to its construction and arrangements. The general aspect of the hospital, externally and internally, notwithstanding the efforts made within the last few years to enliven the long corridors and day-rooms, cannot but exercise a depressing influence upon the inmates, whose means of outdoor exercise are so limited and inadequate. The Commissioners, in the case of asylums for pauper lunatics, would never sanction plans upon the principle of Bethlehem Hospital."

We do not deny that at various times the governors, in conformity with our recommendations, have endeavoured to improve the hospital; but the place is utterly incapable of improvement. It is not fit, in any sense of the word, for the reception of lunatics, and we therefore recommend its removal. There is another consideration of great importance. The number of lunatics is growing greater every year. Whether it has actually increased in comparison with the increase of population is not determined yet. Whether it is that more cases are discovered, or that there is a greater readiness to send them to asylums, I cannot say; but the number is certainly increasing, and it is therefore a matter of great importance that we should have the means of enlarging this hospital. At the present time, apart from the criminal lunatics, who number about 130, there are in Bethlehem more than 200 ordinary patients, for whose support the hospital has an income a few pounds short of £20,000 a year. The average number of ordinary patients in Bethlehem is 240. The development which the increase in the number of lunatics requires can never take place in this hospital so long as it remains on its present site. There is another development needed—the development of the system pursued at the hospital. At present Bethlehem acts upon a most exclusive system, almost unknown in any other hospital. A vast number of cases—the most distressing cases, which require most careful treatment—are entirely excluded. But we must call on the governors of Bethlehem to relax that system, and that relaxation cannot take place until the hospital is removed, because the cases now shut out are just the cases which require additional facilities for air and exercise. On this point we have the strongest opinion of nearly all the medical profession. I know but two who differ, and you have the opinion of the Commissioners, who have now an experience of more than twenty-five years; you have the opinion of Dr. Webster, who has travelled all over the Continent; and you have the opinion of Dr. Conolly, who more than any other man has devoted himself to the scientific treatment of lunatics, and who wrote a letter to us full of valuable knowledge and experience, which will be found in the appendix to our last Report, and in which he presses for the removal of the hospital. It is of the utmost consequence, too, that we should seize every possible opportunity of having a body of medical men skilled in the scientific treatment of lunatics. Though there are some very eminent men engaged in this branch of the profession, there are very few compared with the great mass of the profession. It seems to be a received opinion in this country that because a medical man understands the treatment of the human body, he must therefore understand the remedies applicable to the human mind; but we know that nineteen-twentieths of the medical men of the country understand little more of the scientific treatment of lunatics than they do of Hebrew and Chaldee. It is most desirable, with a view to remove that evil, that we should found a school where men can be trained in this branch of the profession, and nowhere could it be so well founded as in connection with the great Royal charity of Bethlehem. Various objections have been urged against the removal of the hospital. Among other things, it has been said that its removal to a distance would throw obstacles in the way of the visits of friends to patients. In the first place, friends are not over-fond of visiting patients, and a short distance of ten miles would be no obstacle to those who really desired to visit a patient. Again, the great bulk of the patients are not metropolitan, but come from the country, so that that objection entirely loses its force. The next argument is that to take the patients into the country would deprive them of the varied amusement they enjoy in looking at the fine shops on Newington Causeway. It is very questionable whether it is desirable to take lunatics out into the bustling streets; but, supposing there may be a few cases in which it is desirable, they are far outnumbered by those who ought only to take exercise in seclusion, and who at present are deprived of all recreation because there is no seclusion in the grounds of Bethlehem, which are overlooked by the surrounding houses. Again, it is said that the charity ought not to be put to any expense in removing the hospital. I demur to that argument to begin with. The hospital is founded with public money, for public purposes; and if the public think it would be beneficial for the hospital to be removed into the country, the public has a right to decide that it shall be removed. But, so far from any expense being incurred, I am prepared to show that instead of being losers the governors of Bethlehem would, to a certain extent, be gainers if they accepted the offer of £150,000 which has been made to them. I am not here to say that they are bound to accept it, though undoubtedly it is a large sum, and it is an opportunity, perhaps, which will not occur again, for it is not always that a rich body like the governors of St. Thomas's Hospital are looking about for a site. It is a magnificent sum, and for it the governors would be able to build a magnificent asylum for at least 500 patients on the new principle, and would be left with from £10,000 to £20,000 in hand. The Manchester Hospital, with fifty-two acres of land and accommodation for 100 patients, cost £30,208, and the Stafford Asylum, with thirty acres of land and accommodation for 140 patients, cost £39,926. Thus, for a sum of £70,000 you can purchase an estate of eighty-two acres, and erect an asylum sufficient for 240 patients. The offer made to the governors of Bethlehem by St. Thomas's Hospital is £150,000. Taking, as a basis of calculation, what has been done elsewhere, at Stafford and Manchester, you might construct an asylum capable of accommodating 480 patients for £140,000, and have a sum of £10,000 in hand. Your Lordships will see that for an asylum like Bethlehem you do not require as large a quantity of land as for a county asylum, because in the latter establishment the greater number of patients are agricultural labourers, for whom agricultural occupation is required; while in Bethlehem the patients are of various classes. There is another point which is worthy of some attention. Clinical lectures have been established both at Bethlehem and St. Luke's, but there has been little or no attendance at those lectures; while, on the contrary, the clinical lectures established by Dr. Conolly at Hanwell have been largely attended. It is always found that where there are facilities for the residence of pupils, clinical lectures are better attended; and if Bethlehem was removed to the country, arrangements might be made for accommodating resident students. It is boasted that in Bethlehem there is a greater proportion of cures to the number of patients admitted, and a smaller mortality, than in other asylums; but this might to a great degree be accounted for by the rules under which patients were received. In the first place, the governors make it a rule to receive none but recent cases, which are those in which there is the greatest chance of recovery. They do not admit any one who has been afflicted with lunacy longer than twelve months previously to the time of admission. By this rule a good many hundreds are excluded from the benefits of this great charity. In the next place, they will not admit any one who has been discharged uncured from another hospital. They will not admit pregnant women, idiots, or patients aflicted with paralysis or epileptic or convulsive fits. What a mass of human suffering is excluded by that rule! Again, they reject all whose condition threatens speedy dissolution, or requires the permanent and exclusive attendance of a nurse, or who from disease or physical infirmity, are unfit to associate with other patients My Lords, the persons excluded by that rule belong to a class of insane who, perhaps, are in the most distressed condition, and appeal most strongly to our compassion. We have been labouring for years to establish middle-class asylums for the reception of patients above the condition of paupers, but whose families cannot afford to pay the minimum amount charged in the private asylums. In these asylums there is no accommodation to be had under, at least, a guinea a week; but this is a very large sum to persons of small income, or to a struggling man with a large family. We have been endeavouring to establish asylums which, by means of sums received from patients, supplemented by an endowment or a public grant, would be able to admit patients of the middle class, and with small means, at 3*s*., 4*s*., or 5*s*. a week. This system prevails very much in Scotland, where it has proved a Godsend; and wherever such asylums have been founded in this country they have realized all that have been expected from them. If Bethlehem were removed to the country, it might be made the means of alleviating the sufferings of a large number of the lower and middle class insane. I think the public have a right to ask from the Governors of Bethlehem the full benefit of the magnificent revenue in their possession. They have a revenue amounting to within a few pounds of £20,000 a year, and they have property in London which is sure to increase in value; yet, in the hospital there are seldom more than 200 patients, besides the criminal lunatics, and for a period of years the average number has not exceeded 240. I believe that with these funds the governors ought to be able to maintain 480 or 500 patients; and if they adopted the system of admitting persons whose friends would pay a certain sum towards their maintenance, the number might be increased to 600. Under these circumstances, I cannot see on what grounds the governors can refuse to accept the offer of St. Thomas's Hospital, which is one such as may never be made to them again. On this question, however, they seem totally opposed to the representations which have been made, and offer no valid argument in support of the course they are taking. Dr. Conolly, in a letter which he has written on this subject, says—

> "A new Bethlehem, judiciously situated and planned, might be a model, a school of instruction, and a benefit for ever. We should then possess a public asylum in which the intentions of the charitable founders and the exertions of humane and scientific physicians would not be frustrated, and where, above all, the amplest possible means would be furnished, and their application perpetuated, for the relief of the most terrible of all forms of human misfortune."

My Lords, I cannot do better than conclude with these words. I do hope that you will receive this Petition with favour, and will lend the aid of your countenance and support to this good and just demand. We cannot do wrong to a single individual by insisting on this demand. On the other hand, we may do a large amount of good to the most suffering portion of humanity, and therefore I do entreat your Lordships that you will assure these poor people, who are anxious that the hospital should be there and that Bethlehem should be removed to the country, that your sympathies are with them, and that you will do all that in you lies for the relief of suffering humanity, and the fulfilment of the intentions of the noble individual by whose bounty the hospital was founded. The noble Earl concluded by moving for—

1. The Annual Amount of the Revenues during the last Ten Years administered by the Authorities of Bethlehem Hospital:
2. Total Amount of Money received by the Hospital from Parliamentary Payments:
3. Average Number of Patients in the Hospital in each Year for Ten Years, apart from the Criminal Patients:
4. The Total Number of Governors of the Hospital:
5. Number of Special Meetings since January 1863 in reference to the removal of Bethlehem Hospital, and Number of Governors present on each occasion:
6. The Questions proposed and the Divisions taken:

EARL GRANVILLE: I do not rise for the purpose of answering anything which the noble Earl has stated. There can be no objection whatever to the production of the papers for which he has moved, and I should have passed the matter over in silence if it were not that it might then be supposed that my cordial sympathy was not with the object which he has in view. The statement made by the noble Earl, I must say, is consistent with humanity, economy, and good sense, and shows that the Governors of the Hospital are acting in defiance of any argument that can be addressed to them. I cannot help thinking it is very much in favour of all that has been urged by the noble Earl, that of the Governors of the Hospital who belong to your Lordships' House not one has attempted to controvert the statement which he has made. The only way of influencing them seems to be by the exercise of public opinion; and from the personal experience of the noble Earl, and his official position in connection with this subject, nothing is more likely to produce a wholesome effect on that public opinion, and thus re-act upon the Governors of the Hospital, than the speech which he has addressed to your Lordships.

Motion *agreed to.*

AMERICAN PRIZE COURTS.

QUESTION.

THE MARQUESS OF CLANRICARDE said, that in asking the Question of which he had given notice on this subject, he was not going to discuss the propriety or the justice of the decisions of the American

Prize Courts—and specifically, not in the case of the *Dolphin*. But he thought that the proceedings of those Courts should be closely watched; for if doctrines were admitted there contrary to those maintained in the highest Courts of this country, great confusion would be the result hereafter. With respect to the amount of evidence necessary to condemn a ship, he thought no man of common sense would support the dicta of the American Courts in this respect. The principle upon which a sentence of condemnation and another sentence of conditional condemnation had been pronounced differed entirely from those laid down by the English Privy Council during the last war. It was now maintained in America that suspicion was sufficient to justify the condemnation of a vessel—that the onus of proving innocence was upon not merely the captain and crew, but upon the owner of the ship. The owner was called upon to prove a negative. Moreover, it was held that where a ship was going avowedly and confessedly to a neutral port, a strong presumption arose of the intention to run the blockade, because before the war there was no demand in the port for the goods which she carried. Now, that was a monstrous doctrine. There might be a market of goods to be run, or those goods might be sent legitimately by land to the Confederate States; but that was not a ground on which we ought to permit our ships to be condemned, for we had a perfect right to establish a depôt for every kind of goods at Nassau if we chose to do so. It was necessary that not only our merchants, but the officers of the Royal Navy should clearly understand what would suffice for the condemnation of a vessel and to constitute an infringement of belligerent rights. He had no wish to press for a discussion upon the subject now that there was a hope of this unhappy war coming to an end, in which case the confusion and irregularities arising from it might be expected to cease. He hoped that this horrible and now unnecessary war was about to terminate, because it had been stated, in what appeared to be an authoritative form, that the Emperor of the French had made or renewed a proposal to the British Government to recognise the existing Government of the Confederate States. That was a most important step, and he could not but think that the time had come when we could not permit a continued hindering of our commerce. He did not desire that we should interfere in any way, but it was quite compatible with our position as neutrals that we should recognise a Government which had shown itself to be capable of conducting its affairs at home and abroad and of performing all the functions of a Government. If England and France, and he might add Spain, were to recognise that Government, he had no doubt that a speedy termination would be put to this war. He would ask the noble Earl, Whether any proposition had been received from the Government of France; and, also, whether any Reports of the Proceedings in the Prize Courts of the United States of America, especially in reference to the Case of the *Dolphin*, have been received at the Foreign Office?

Earl RUSSELL: I will first answer the Question of my noble Friend whether any report of the proceedings of the Prize Courts of the United States, especially with reference to the case of the *Dolphin*, has been received at the Foreign Office. In answer to that Question, I have to state that what appears to be an authentic report of the judgment in the case of the *Dolphin* was received at the Foreign Office last evening. I should think it right, certainly, that all these cases should be watched. I find the doctrines relied upon in that judgment are those laid down by Sir William Grant and Lord Stowell. Whether these doctrines are rightly applied to the circumstances of this particular case is another question, and one upon which I offer no opinion. I shall not re-enter upon a discussion which we had upon a former evening, but I still think that the opinions held upon international law by my noble Friend are not in accordance with the high authorities upon the subject. As to the second Question, whether any communication has been made to the Government of this country by the Government of the Emperor of the French, proposing or suggesting a recognition of the Southern States of America, I have to say that no such communication has been received. Upon the general subject of recognition, I do not think the circumstances are much altered since my noble Friend (Lord Strathеden) brought forward his Motion in this House, and I entertain the same opinions which I then expressed.

House adjourned at half past Six o'clock to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, June 26, 1863.

MINUTES.]—Public Bills—*Resolution in Committee*—Public Works (Manufacturing Districts) [Advances], *reported.*

Ordered — Public Works and Fisheries Acts Amendment *.

Committee—Public Works (Manufacturing Districts) [Bill 154]; Partnership Law Amendment * [Bill 172], *on re-committal*— R.P.; Misappropriation by Servants * [Bill 156].

Report—Public Works (Manufacturing Districts) [Bill 192]; Misappropriation by Servants * [Bill 193].

Considered as amended—Howth Harbour * [Bill 157]; Newcastle upon Tyne (Saint Mary Magdalen Hospital) * [Bill 162]; Removal of Irish Poor [Mr. Villiers] * [Bill 140]; Courts of the Church of Scotland (*Lords*) * [Bill 92].

Third Reading—Harwich Harbour * [Bill 176].

Withdrawn—Midwifery * [Bill 180].

PUBLIC WORKS (MANUFACTURING DISTRICTS) [ADVANCES].

REPORT.

Resolution *reported,*

"That the Commissioners of Her Majesty's Treasury be authorized to issue, out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, to an amount not exceeding Twelve Hundred Thousand Pounds, upon security of Local Rates, for facilitating the execution of Public Works in certain Manufacturing Districts."

Mr. BENTINCK said, it was the duty of every man to assist in alleviating any general distress, and of course he did not rise to oppose the Resolution; but he ventured to think, that on one or two points of great importance the speech of the right hon. Gentleman the President of the Poor Law Board in introducing this subject to the House was deficient. He thought the right hon. Gentleman should have stated somewhat more fully and distinctly what was his opinion with respect to the causes of the present wide-spread distress. It was said by many that a short supply of cotton had been the chief, if not the sole, cause of the distress in Lancashire. He was not prepared to argue that a short supply of cotton had not mainly contributed to the distress; but it had been stated also, with great truth, that much of the distress had arisen from the over-trading and over-speculation which had been indulged in by the millowners in the manufacturing districts. If the distress was partly to be attributed to over-trading, it tended to alter the position of the case, because it was the bounden duty of Parliament, in legislating on a matter of this nature, not to give encouragement to a recurrence of that over-speculation which it was asserted had contributed very much to the state of things which they all so much deplored. He should like to hear from the right hon. Gentleman his opinion upon this point. Now, as to the actual condition of the districts where the distress existed, the right hon. Gentleman made no allusion to the comparative state of the poor rates in the distressed districts, and other parts of England. If it could be shown that at this moment the poor rates were much lower in the distressed districts than they were in many other parts of England, it appeared to him that would form a most important element in the case, and one with which the right hon. Gentleman was bound to deal. It was quite obvious, that if the country was to be called upon to avert the existing distress, this point ought to have their most serious consideration. They had been told that during this very distress there had been immense fortunes realized by some of the millowners. He thought that was an important element in the question. They were also told that at this moment large sums were being spent in the erection of the same description of mills the stoppage of which had been the cause of this distress. Now, if great distress existed in an agricultural district, and a complaint was made to Parliament on the subject, and if it could be shown that owners and occupiers of the land were in a prosperous condition, and were laying out their capital in the anticipation of revived prosperity, the country would be of opinion that justice was not being done. The right hon. Gentleman had made the startling assertion that no distress or loss had occurred to the agricultural interest in this country from the effects of the recent legislation. He would not enter into the wide field opened up by that sweeping assertion; but he would point out, that when the question of free trade was under discussion, one of the main arguments adopted by the supporters of that policy was that it would benefit the artisans in the manufacturing districts. The spouters and agitators employed by the Anti-Corn Law League promised these men large loaves and great puddings as the inevitable consequence of free trade. He was not going to enter into the question how far these promises had been realized; but he would remind the House that after seventeen years' trial of that financial policy they were now assembled to endeavour to adopt measures for the mitigation of a state of extreme starvation and distress amongst those very people for whose benefit especially this financial policy had been adopted. It was also admitted that a large amount of distress existed in other parts of the United Kingdom, and he thought the right hon. Gentleman ought to show that this legislation was not of a selfish character. It would be only just to the other parts of the country to show that there were not other districts equally distressed, equally entitled to assistance. The right hon. Gentleman did not show them clearly that the security for the money proposed to be borrowed was of the satisfactory kind which it ought to be, or whether they might hope that the security was of a character which would lead to the expectation that the money lent would find its way back to the public purse. It was ascertained that there was amongst the great millowners of Lancashire an antagonistic feeling to emigration, because they thought that it would cause, in the event of the revival of the cotton trade, a want of hands. On the other hand, persons better acquainted with the subject told them that emigration was the only remedy, and that they were entitled to hear from the right hon. Gentleman what were his views and the views of the Government on the subject of emigration. He asked the right hon. Gentleman to say whether he thought they must ultimately resort to emigration.

MR. J. A. TURNER said, he was not one of those who thought that the large manufacturers of Lancashire and Cheshire and the operatives in their employment were entirely free from blame. There might have been an excessive pushing forward of manufacturing operations—there had been too much pride of class—the manufacturers might have been too presuming, and fancied themselves of too much importance; and the operatives had manifested too much of the same feeling. There had been a great increase of mills, and trade had been pushed to a great extent; but that was not altogether an evil, nor was the hon. Gentleman opposite to attribute it entirely to free trade. Free trade had no doubt promoted vastly the increase of prosperity amongst the manufacturers of Lancashire and Cheshire, and had immensely contributed to the comforts of the operatives employed. Was that an evil? Employment had been extended enormously, and the operatives, who at one period in his recollection were in a most miserable state of privation, were of late years in a state of comparative wealth and prosperity; the operatives had themselves become capitalists, and had put their contributions together; and to the formation of co-operative societies and the investment of their earnings the increase of manufacturing operations was in a great degree to be attributed. Did the hon. Gentleman suppose that the great manufacturers of Lancashire and Cheshire were the only persons that erected those large mills or extended their operations unduly? The principal establishments had been erected of late years by the operatives themselves through means of co-operative societies, and he had no wish to say a word against anything of the kind. Most of the employers of labour in Lancashire had risen from the ranks, and in the same way the working men of Lancashire had been trying to raise themselves; and if an ample supply of cotton had been obtained, there was no doubt that there would have been ample occupation for them all. The hon. Gentleman was mistaken in supposing that large fortunes had been made by millowners. No doubt, in consequence of the dearth of cotton, there had been large speculations in that article, but there were many other speculators besides the millowners. Ladies, clergymen, and other persons, impressed with the idea that they were going to make their fortunes, gave orders, both at home and abroad, for the purchase of cotton. That, no doubt, was a very wise and legitimate operation. Whoever contributed to the supply of a commodity required, not only might make some profit, but assisted to provide the means of giving employment. He did not think the hon. Gentleman was entitled to make it a subject of taunt that the principles of free trade and the repeal of the Corn Laws had failed to produce the advantages which its main supporters promised would arise from that measure. He had himself been blamed frequently in his own district for not having been one of the great promoters of free trade. He certainly thought the idea was carried too far at that time, but he had lived long enough to see that he was wrong. He believed that free trade had been the means of promoting the interests of the country and the comforts of the working classes to an enormous extent; and were they now to be told—because an exceptional state of things had arisen, and a state of misfortune had come upon them, which could not have been foreseen—that the principles of free trade had not accomplished all that its advocates promised? He thought the measure of the right hon. Gentleman was a wise one; he most cordially supported it, and he did not see that the hon Gentleman opposite had said a word which should, in any degree, affect its passing that House.

MR. FERRAND said, that no doubt the manufacturers of Lancashire had made very large fortunes, and the operatives themselves had enjoyed very high wages for a considerable length of time; but the hon. Gentleman (Mr. J. A. Turner) must also remember that the present distressed state of things in Lancashire had also resulted from free trade. He did not intend, on this occasion, to discuss the question of free trade; but he was ready to enter the lists on any day with the hon. Member for Rochdale, and to maintain the proposition, that if free trade had done great good, it had also produced many evils, of which the present distress was one. The President of the Poor Law Board, on the 27th of April last, gave the House to understand that the present measure would employ 70,000 male adult operatives in the manufacturing districts, representing the whole of that body. The House had a right to know what employment was to be found for the 400,000 souls who it was said would be in the receipt of relief next winter—because they had since been told that only 27,000 adults would find employment under this Bill, and Mr. Farnall stated that 400,000 persons would probably, during the next winter, be dependent on the poor rates of Lancashire and on the Treasury. He wanted to know why the Bill had not been introduced earlier in the Session—or even last year—and why it had been delayed now. It was rumoured—he knew not with what truth—that the gentlemen of Lancashire had interfered with the Government, and that it was owing to them that the House was so late as the last week of June going into Committee on the Bill. If the Government had done their duty, the measure would have been in force last winter. For thirty years Manchester had, in fact, governed this country, and now the House saw the result as far as Lancashire was concerned. It was only the other day that Mr. George Wilson in a public speech remarked, that with Cobden as traveller, with Bright attending to the outdoor department, and with Gladstone and Milner Gibson doing the work inside, the present Government were doing a roaring business. He had no doubt, that if the right hon. Gentleman opposite would speak the candid truth, he would admit that it was entirely owing to Manchester that the measure had been so long delayed. He had been requested by the factory operatives to make a statement with regard to the quality of Surat cotton. Mr. Hutchinson, of Blackburn, reported to the Central Relief Committee at Manchester that the loss in the spinners' wages by using Surat cotton, was not more than 2*s*. per week. The spinners at Mr. Hutchinson's mill, however, had written to state, that for the last four weeks previous to the date of their letter, their earnings had been less by 7*s*. or 8*s*. per week. They added—

> "If we go so far back as twelve months our earnings would be from 10*s*. to 12*s*. per full week's work less than would have been earned in ordinary times with working American cotton."

These working men added that their energies had been more than doubly taxed through working inferior cotton, and that this statement would apply to all other firms in the town and neighbourhood. It had been stated that public subscriptions for the relief of Lancashire distress were at an end. If so, how were the unemployed operatives to live? In idleness? The Corn Laws were repealed by the agency of tumults and violence, and the fear of tumults. Sir James Graham admitted the fact to be so. At that time the operatives were told to "go and play" for a month; they were now told to "go and play" for a whole winter. Under such circumstances, did the right hon. Gentleman think that the peace of Lancashire was safe. It might be too late for the Government to interfere at such a time, but it was not too late for the House of Commons to interpose at the present moment. The remedy proposed by the Government was this miserable Bill. The sum of £1,500,000 was to be raised by the Treasury, but only £460,000 of that was to be paid to the 400,000 unemployed operatives, the rest was to be paid to skilled labourers, such as masons &c. Had the right hon. Gentleman calculated how much would be paid to each of these 400,000 persons? The Bill was in very truth a manufacturers' Bill, drawn up and settled by the manufacturing interest of Lancashire without consulting the working population. He heard already that some of the Town Councils in the distressed districts were quarrelling as to the manner in which this money was to be laid out. He believed that not one-third of £1,500,000 would be spent in any kind of improvement. He had endeavoured to divide the expenditure recommended by Mr. Rawlinson into wet work and dry. Under the title wet work he included: —Main sewers, £400,000; house drains, £150,000; waterworks &c., £50,000; cleansing rivers, £20,000; land drainage, £60,000. Total, £680,000. Under the designation of dry work he included streets, paved with square sets, £250,000; ditto, with boulders, £200,000; suburban roads, £150,000; parks and recreation grounds, £100,000; enclosing waste land, £10,000; baring rock, £10,000. Total, £720,000. The wet and dry work made a total of £1,400,000, to which was added £100,000 for parks, making altogether £1,500,000. He considered that the operatives were, from their previous habits and want of skill, unfit to undertake the wet work, and in regard to a good deal of the dry work, such as paving the streets with square sets and boulders, skilled labour was imperatively required. It was said that the operatives might be employed in draining, and it was stated in that House that Mr. Tollemache, one of the Members for Cheshire, was employing a large number of cotton operatives on his land at Mottram and Tintwistle, for the purpose of draining it. A gentleman who lived in the neighbourhood, however, wrote to say, that although a great number of operatives were employed at first when Mr. Tollemache commenced draining, nearly all of them had been compelled to give up the work, because they could not stand it. Mr. Tollemache found it necessary to employ regular drainers from the south or west of England, for it was quite clear the factory operatives could not stand the work of draining the land. The fact was, that as soon as the sides of the drain touched their clothes and wetted them, the operatives became liable to be seized by rheumatism. It was also the fact that these operatives threw out three times as much soil from a drain as a regular drainer. The operatives themselves earnestly requested to be assisted to emigrate. If the House were to send 100,000 of them (who if they remained here would be out of employment for two or three winters) to the Colonies, they would settle there and become our best customers. The hon. Member for Rochdale (Mr. Cobden) had attributed to him the advocacy of a wholesale system of emigration. Now, he would admit that he would be liable to this charge if he advocated the removal to the Colonies of the whole 400,000 unemployed operatives. He did not go so far, but he maintained that from 50,000 to 100,000 might be safely supplied with the means of emigration at the present time. They would have to do it eventually, and it was a mere question of time. It would therefore be wise to do it while the men had some stamina left. They should also send with them some agricultural labourers, in order to do some of the heavier agricultural work, which operatives would be unable to do. Such was the desire on the part of the operatives themselves to emigrate, that he believed that if sufficient emigrant vessels were now in the Mersey, the whole factory population would go in one exodus to the seashore, rejoiced thereby to escape the misery that now overwhelmed them. He believed that the operatives would not endure their privations for another winter. A letter had appeared in *The Times* which he defied any one to read without tears. It was dated from Carlisle, and was headed "Emigration of Cotton Spinners." The writer stated that seventeen families of spinners, containing seventy-six individuals, persons of good character, and some of the best workmen in the mills, declared to him their earnest desire to emigrate. He added, "I wish those cotton lords, who doubt the desire of these people to emigrate, would come down here for a while, and witness what I have unhappily witnessed repeatedly, stout men, with tears in their eyes, imploring me to send them 'anywhere out of this.'" The writer of the letter was Dr. Close, the Dean of Carlisle, and no one would doubt that his statements were implicitly to be believed. There were fifty districts where the operatives were equally desirous to emigrate. They were weary of this hunger and poverty, and they only asked for emigration purposes for one of the many millions which the Chancellor of the Exchequer boasted the other day had been added to the wealth of the country during the last few years by their labour. [The hon. Member, having read extracts from letters and local papers describing the extreme misery that existed in various localities, proceeded:] Would any one deny the notorious fact that the factory operatives wished to emigrate? Who opposed their wish? The right hon. Gentleman (Mr. Villiers) and the hon. Gentleman (Mr. Cobden)—men who were formerly the leaders of the Anti-Corn Law League—the men who promised the operatives abundance, and who were now the representatives of the manufacturers, who were leagued together to prevent emigration. When the philanthropists of Essex recommended emigration, the hon. Gentleman (Mr. Cobden) as good as told them to mind their own business. Since then the hon. Gentleman had appealed to the whole country to subscribe a million, and he got it. He might have to appeal again, but he would not get it. When the manufacturers in 1835 gave a dinner to Daniel O'Connell, they boasted that they were rich enough to buy up the whole House of Lords. Then why did they not raise the money among themselves? He believed that at least a quarter of the cotton manufacturers had not subscribed one sixpence for the distress in Lancashire, although some of them had made large fortunes by their mills. He trusted to God that before the end of the Session many noble-hearted men in that House would say, when the hon. Member for Pontefract (Mr. Childers) brought forward his Motion in favour of emigration, that he had made out his case, and that they would vote for a grant of £1,000,000, if the Government would propose the Resolution. If the Government refused to do this, they would have the curses of a million factory operatives on their heads instead of their blessings. The hon. Gentleman (Mr. Cobden) told them that the operatives were not fit for outdoor labour; and yet he supported the present Bill. But he said he was for voluntary emigration. The conduct of the hon. Member reminded him of an ancient torture, where persons were put in iron cages with food placed just beyond their reach. When the sufferers asked for bread, they were told to take it. The hon. Member for Rochdale had recommended voluntary emigration, but he doubted if the funds could be raised for removing a thousand operatives by such means. If the operatives were kept at home during the ensuing winter they would eat up the poor rates of the district. The interest of the money lent under the present Bill would have to be added to the rates, and the result would be to bring the poor rates of some of the manufacturing districts up to 25*s.* in the pound. The Treasury, in fact, would have to find £3,000,000 during the ensuing winter for the relief of distress in Lancashire. If the cotton trade of England could not be maintained, except by the sacrifice of 500,000 operatives, he for one would say, "Perish the cotton trade rather than sacrifice 500,000 of our countrymen, countrywomen, and children."

COLONEL WILSON PATTEN assured the House that he did not rise to answer the hon. Gentleman the Member for Devonport, but to entreat hon. Members not to do so. The hon. Gentleman claimed to be the representative of the factory operatives. He (Colonel W. Patten) was also one of their representatives, and he told the hon. Gentleman to his face, that if he were their bitterest enemy, he could not take a course more calculated to injure them. The Bill was one for authorizing the issue of £1,200,000 to be employed in works of local improvement, and a morning sitting had been granted to enable the House to consider it in detail. The hon. Gentleman (Mr. Ferrand) had availed himself of the opportunity of addressing the House on the principle of the Bill upon the second reading; and now, when the House assembled at a morning sitting, and had only four hours to discuss the clauses, the hon. Gentleman went into a discussion of free trade, the cotton trade, and emigration. The Bill would be lost altogether if this discussion were carried on. Let hon. Members go into Committee, and discuss the clauses in a business-like manner. Only two hours now remained for the discussion of a Bill of nineteen clauses; and if the present opportunity were lost, the fate of the Bill at this period of the Session would become very doubtful.

MR. C. P. VILLIERS said, that he hoped they would take the advice of the hon. and gallant Colonel. The hon. Members for West Norfolk (Mr. Bentinck) and Devonport (Mr. Ferrand) had left the House very little time for considering the clauses of the Bill. Both hon. Members, it seemed, highly approved of the Bill. [MR. FERRAND: As far as it goes.] Well, he (Mr. C. P. Villiers) did not go further than the Bill on the present occasion. This being the case, he hoped it would not be thought disrespectful to the House if he declined to go back to discuss questions that had been raised and decided any time for the last thirty years. The only novelty was to find two hon. Gentlemen who avowed themselves as firmly convinced as ever of the superior policy of protection as opposed to free trade. The hon. Member for Devonport had not adduced a tittle of evidence to show that the operatives were opposed to this Bill. His hon. Friend (Mr. Childers) had given notice of his intention to bring the subject of emigration before the House, and at the proper time he should be prepared to state the views of the Government on the subject. He might state, however, to those who were impatient upon that subject, that there never was so extensive an emigration as that which was now going on from this country. The hon. Gentleman the Member for Devonport had stated gratuitously, and without a tittle of foundation, that this Bill had been prepared in the winter, but had been suppressed to please the manufacturers. It was prepared after it appeared that the trade was not likely to revive sufficiently to reinstate the people in their employments, and that there appeared a general anxiety in the country that the operatives should not continue to depend entirely upon charity, and after inquiries had been instituted to ascertain whether it was possible to find remunerative employment upon works of permanent utility. It was upon the report of these inquiries that this Bill was framed, with a view to give it effect. In opposition to what the hon. Gentleman had said, he would venture to assert that the operatives were anxious to be set to work, and that they were not disaffected. They were not ungrateful; they had been treated with great consideration, and they were sensible of it. Whether by making such addresses as that to which the House has just listened the hon. Member might not change that feeling he did not know. The right hon. Gentleman concluded by moving that the House agree to the Resolution.

Resolution *agreed to.*

PUBLIC WORKS (MANUFACTURING DISTRICTS) BILL—[BILL 154.]

COMMITTEE.

Bill *considered* in Committee.

Clause 1 (Charge on Consolidated Fund of £ to be at Disposal of Public Works Loan Commissioners).

MR. C. P. VILLIERS moved to insert the sum of £1,200,000 in the clause.

SIR HENRY WILLOUGHBY said, there ought to be some provision, that when these monies were repaid, they should be kept separate and used for the discharge of the loan, instead of being mixed up in an "omnium gatherum" of other accounts.

MR. CARDWELL said, that the Treasury would give every facility for the simplification of the accounts. The balances would be sufficient without calling upon Parliament to create any special loan.

Clause *agreed to;* as was also Clause 2.

Clause 3 (Power for Public Works Loan Commissioners to lend, and for Local Boards and Authorities to borrow, for the Purposes and on the Terms specified).

MR. GREGSON moved an Amendment, to the effect that in case the existing blockade of the American ports should have ceased before the whole number of such instalments had been paid, then the residue of such loan should be repaid by so many equal annual instalments, not exceeding ten, as the Poor Law Board should approve, the first of such last-mentioned instalments to be payable on the first annual day of payment which shall occur after the expiration of twelve months from the termination of the blockade.

MR. C. P. VILLIERS opposed the Amendment.

After short discussion, Amendment *withdrawn.*

MR. HENLEY felt bound to protest against the principle of the clause—namely, that of giving power to guardians to tax parishes for the purpose of public works without the consent of the parishioners.

Clause, as amended, *agreed to.*

Clauses 4 to 8 *agreed to.*

Clause 9 (Additional Powers for Local Boards or Local Authorities to execute Works of Improvement).

MR. HENLEY complained of the vagueness of the wording of the clause. It gave to Local Boards the power to "widen, deepen, cleanse, embank, straighten, or otherwise improve any river, stream, or brook." He doubted whether this clause would not give the local authorities the power of going out of the county. He thought that the consent of the owners of property ought to be first obtained to all proposals for arterial drainage.

MR. C. P. VILLIERS said, he thought there was ample security against any misapplication of the Act. The suggestion of the right hon. Gentleman should, however, be considered, and an Amendment to protect the interest of the owners introduced, if necessary, on the Report.

MR. ADDERLEY said, that this was the proper time for raising the question of aiding emigration; he therefore called upon the Government to say, why the relief that might be afforded by emigration had been excluded from the provisions of this clause? He by no means wished to propose a system of wholesale emigration, or of special loans of public money for this purpose; but if there were persons fit and desirous to emigrate in the distressed districts, and if a proper body existed for judiciously applying these loans, why should they be precluded from doing so to some extent in this manner? The hon. Member for Pontefract (Mr. Childers) who was kept away by domestic affliction, had requested him to obtain some explanation from the Government on this point. He had understood the hon. Member for Rochdale to say, on a previous occasion, that there were no operatives in the manufacturing districts who were either fit or willing to emigrate. [Mr. COBDEN: I never said so.] He certainly said that everybody wished everybody else to emigrate, not himself; and that misfortune had followed emigration. The Dean of Carlisle, however, had published the fact that a great many were anxious to go, and that if they had the funds, numbers would be very glad to go to the Colonies. In some parts of Warwickshire distress existed as in Lancashire, and in that county there were many persons emigrating; and if there were funds, there would be many more. Several letters had been received from those who had gone out, and without exception they were all prospering and thankful they had gone. If emigration had been resorted to at the commencement of the distress, perhaps by that time many would have been in a state of prosperity and becoming customers of those at home, instead of swelling the numbers of permanent paupers. Of the large numbers who had emigrated from Warwickshire under the pressure of distress, there was not one single instance in which the emigrants had not succeeded in establishing themselves, and many had sent to get their friends to follow them. No doubt, there was great difficulty in finding sufficient funds, but why were not the funds in hand expressly for assisting emigration from the manufacturing districts used for that purpose, and why should they not be somewhat supplemented out of this loan? Several Colonies had voted large sums of money to enable the distressed operatives of Lancashire and Cheshire to emigrate. He went himself to the Emigration Commissioners, and asked them whether, if the Lancashire people would not employ these funds in emigration, there would be any difficulty in applying them to Warwickshire? The Commissioners replied, that the Votes of the Colonies were so expressly made for Lancashire that, in their opinion, they could not be used for other parts of England. They added, however, that if Lancashire positively refused to employ these funds in promoting emigration, then they might be transferred to other parts of the country similarly in distress. He was not sure that money lent in aiding emigration would not be more likely to be repaid to the Treasury than the sums lent for other modes of aid, especially those proposed to be laid out in mere pauper works, similar to the works which were set on foot in Ireland during the famine, and certainly the result would be better and more permanent. He could not resist the suspicion that the millowners were obstructing and discouraging emigration. If so, they were acting in a most shortsighted manner. It was doubtful whether the operatives would be found very effective if they resumed their employment in the mills, after being engaged in outdoor work; whereas, if they let them go to the Colonies, they would prosper and become good customers, and the millowners might depend upon it that the rapid increase of population at home would be quite sufficient to insure a supply of labour for the cotton manufacture whenever it revived. It was incurring a grave responsibility to hold people back from emigration, and to exclude this mode of effective aid in preference of protracted dependence.

COLONEL WILSON PATTEN said, that his right hon. Friend was labouring under a misapprehension if he supposed that the Central Relief Committee had received funds from the Colonies for the purposes of emigration and had failed to apply them. Every sixpence received by the Central Relief Committee had been applied, as far as possible, in accordance with the wishes of the donors, even although they might be contrary to the opinion of the Committee. The Committee had received large sums from the Colonies, but not one farthing had been sent to them with the stipulation that it should be applied to emigration. The Bill provided for the repayment of a loan over a series of years, because it conferred substantial advantages on the next as well as the present generation: but if this £1,200,000 were spent for the immediate relief of the manufacturing districts by means of emigration, the House would incur the just complaints of those who, many years hence, would be held responsible for the repayment of this money. As Lancashire men, too, they were too proud to ask for a loan for the relief of their own immediate distress, unless they had a prospect of giving public works of utility to posterity. He had never uttered a word against emigration and never intended to do so. But hon. Members seemed to forget that boards of guardians had at present, under an Act of Parliament, the power to give so much a head to those who wished to emigrate.

Mr. C. P. VILLIERS said, that he had no objection to emigration, but the question of emigration was not germane to the measure now before the House. It contained no machinery for the purpose. They were not a Board of Works about to receive a grant of public money; the proposition before the Committee was to enable local bodies to borrow money for their own purposes. The Bill provided the means of making advances to public bodies who applied for the money, and who could give security for its repayment. It might be proper for the Government to assist emigration, but he could not consent to discuss the matter on the present clause further than to say that the Government would take upon itself a great responsibility in regard to the fate of those emigrants whom it might assist by free passages to the Colonies.

Mr. FERRAND said, he was told that an impression prevailed that not more than one-third of the money raised could be expended on these works during the ensuing winter. If so, he did not see why a portion of this money should not be allotted to emigration. The hon. and gallant Gentleman (Colonel W. Patten) had said, that if he were the bitterest enemy of the operatives, he could not take a course more injurious to them. He was only sorry that such an antagonistic feeling existed between the manufacturers and their workmen. [Colonel Wilson Patten: It is not so.] He could only say that he had merely endeavoured to place before the House the case which the working people themselves had confided to his hands. If the country were again appealed to for a public subscription for the relief of Lancashire distress, and if money were subscribed for emigration purposes, he trusted that the Central Relief Committee would throw no obstacles in the way.

Clause, as amended, *agreed to.*

Clause 10 *agreed to.*

Clause 11 *struck out.*

Remaining Clauses *agreed to.*

Mr. C. P. VILLIERS moved a New Clause (Power to abandon the Local Government Act).

Colonel WILSON PATTEN said, that before the Bill went through Committee, he wished to express his regret that it had not been found possible to disentangle it from the Poor Law Board. It would have been much more acceptable if it could have been kept clear from that Board, and from the prejudices and objections which were felt to it on that account in many districts. At the same time, seeing the difficulties of the subject, he had thought it his duty to give the Bill his hearty support.

Mr. C. P. VILLIERS said, that the Bill, it was true, originated with the Poor Law Board; but those who were represented by the hon. and gallant Gentleman never ceased to urge the Board to consider and take up the matter. He could only say for himself that he should have been under deep obligations to any other Board or Department of the Government that had relieved him from the trouble and anxiety he had incurred in regard to this Bill. The proper moment for the hon. and gallant Gentleman to have objected to the action of the Poor Law Board was when he (Mr. C. P. Villiers) said he would direct inquiries to be made, if there were not means in his county for furnishing independent employment for the operatives who were deprived of their occupation and were living upon alms; or else, when, holding the office he did, he had introduced a Bill founded on the report of that inquiry. Instead of which, the hon. and gallant Gentleman had waited till that Bill was matured, until all the trouble had been taken about it, till all danger as to its passing was over, and while morning, noon, and night his mind was made anxious on the subject, in order then, at the last moment, to complain of its being connected with the Poor Law Board, and thereby to excite mistrust of its operation. He must say that it was not a very gracious address to come from the hon. and gallant Gentleman just when the Bill had passed through Committee, and when it was too late to be of use.

Colonel WILSON PATTEN would ask

whether it was possible the right hon. Gentleman could so misinterpret him? Had he said one word of complaint against the right hon. Gentleman? In private, and long before the second reading, he had expressed to the right hon. Gentleman his opinion that it was desirable to keep the Bill clear of the Poor Law Board.

Mr. C. P. VILLIERS declared solemnly that he had not the slightest recollection of his hon. Friend ever having said one word of the sort to him. His hon. and gallant Friend did, he believed, say that he thought it would be better if the measure were kept distinct from the Union Relief Bill.

Colonel WILSON PATTEN said, he had a right, as an independent Member of Parliament, to express his opinion on this Bill, to which, notwithstanding the objection he had expressed, he had given every support.

Mr. FERRAND was glad that all the vials of the right hon Gentleman's wrath had not been poured on his head, but that the right hon Gentleman had reserved some for the hon. and gallant Member.

Lord EDWARD HOWARD said, the operatives who were employed under this Bill ought not to be regarded in the light of paupers, but as persons who had suffered from misfortune, and who were willing to earn a livelihood by honest labour.

Clause *added* to the Bill.

Preamble *agreed to.*

Sir GEORGE GREY said, that the Report on the Bill would be the first order on Monday next.

House *resumed.*

Bill *reported;* as amended, to be considered on *Monday* next, and to be *printed.* [Bill 192]

GROWING CROPS IN IRELAND.
QUESTION.

Sir FREDERICK HEYGATE said, he wished to ask the Chief Secretary for Ireland, Whether the Attorney General intends at this late period of the Session to proceed with the Civil Bills (Ireland) Bill; also, whether, in the event of such not being the case, the Government will introduce a Bill this Session to abolish the power to seize growing crops under any legal process in Ireland?

Sir ROBERT PEEL said, in reply, that it was not the intention of the Attorney General to proceed with the Civil Bills Bill during the present Session, but the question was under consideration whether a clause might not be introduced into a separate Bill for the purpose of abolishing the power of seizing growing crops under legal process in Ireland. He would take that opportunity of giving notice of his intention to withdraw the Bill, which had been read a second time, and he hoped he should be able to state on Monday, after conferring with the Attorney General, whether it would not be desirable to introduce a Bill bearing on that more limited question.

GENERAL MOURAVIEFF'S INSTRUCTIONS.—QUESTION.

Mr. DARBY GRIFFITH said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether he has reason to think that the instructions given to General Mouravieff by the Russian Government, on his appointment to the military command of the Army in the Government of Wilna, contained any such passages as the following: "If circumstances render it advisable, his Excellency can adopt measures against Families who possess members in the ranks of the insurgents." "His Excellency should oppose certain demonstrations of the women, and for their hindrance will even adopt severe measures against them."

Mr. LAYARD: Sir, I am quite sure my hon. Friend will see that it is quite impossible for me to answer such a question as he has put to me. He asks whether I have "reason to think" that the instructions given to General Mouravieff contain certain expressions. Of course, the Russian Government does not communicate to us the instructions it gives to its agents, and if I were to state merely what I think, I should only be misleading my hon. Friend and the House.

RHYL PIER.—QUESTION.

Mr. HUMBERSTON said, he rose, in the absence of his hon. and gallant Friend (Colonel Rowley), to ask the President of the Board of Trade what local inquiry was instituted by the Board of Trade, and at what date, in respect of the scheme sanctioned by the Provisional Order for the Rhyl Pier; and whether any written Report was made by the Admiralty to the Board of Trade as to the Pier at Rhyl, and when made?

MR. MILNER GIBSON, in reply, said, no local inquiry was made, nor was one thought necessary. Accurate charts were handed in by both parties, and it was obvious from those charts that the proposed Pier would not interfere with the navigation. Therefore, no local inquiry was undertaken. Other questions arose, of a character which it was not for the Board of Trade to decide, and the Bill was consequently referred to a Select Committee.

MR. HUMBERSTON: Was there any written Report from the Board of Admiralty?

MR. MILNER GIBSON: No.

SCIENTIFIC INSTITUTIONS IN DUBLIN.

QUESTION.

MR. COGAN said, he would beg to ask the Secretary to the Treasury, Whether it is intended by the Treasury to carry out the recommendations of the Commissioners appointed to inquire into the Scientific Institutions in Dublin, with regard to the amalgamation of the Museum of Irish Industry with the Royal Dublin Society, notwithstanding that the Lord Lieutenant of Ireland has expressed his disapprobation of that proposal?

MR. PEEL replied, that it was scarcely necessary to declare that the opinions expressed by the Lord Lieutenant of Ireland had received that respectful consideration which was due to them. But, after consulting the Committee of Council on Education, the Treasury came to the conclusion that in the interests of public convenience, and also of those institutions themselves, it was desirable to carry out the recommendations of the Commissioners. Those recommendations, he might add, would be treated as a whole.

AFFAIRS OF POLAND.—QUESTION.

MR. BENTINCK said, he rose to ask the hon. Member for the King's County, Whether, in consequence of the entirely altered condition of the Polish Question, consequent on the grave disclosures made by the noble Lord at the head of the Government, it was his intention to bring forward the subject of Poland on Monday next?

MR. HENNESSY said, he believed the hon. Member was one of those who on a recent occasion voted against the Motion of the noble Viscount, that the subject of Poland should take precedence of the Orders of the Day, and on that account he attached increased importance to the appeal just made to him. He believed that the Government was in hourly expectation of receiving a telegram from St. Petersburg, announcing the reply of the Russian Government to their despatch. Under these circumstances, he would fix his Motion for Monday, and he trusted that the noble Lord (Viscount Palmerston) would enable him to make his Motion on that day.

MR. BAILLIE COCHRANE said, he wished to know whether the House was to understand that the Question of Poland would be considered on Monday night, or whether they were to go on with Supply.

SIR GEORGE GREY said, the first Order of the Day on Monday would be the Report of the Lancashire Relief Bill, which had gone through Committee that day at the morning sitting. Afterwards, the House would be asked to go into Committee of Supply. Of course, the hon. Gentleman the Member for the King's County would take whatever course he thought right, but he hardly thought he would wish to bring on the Motion in the absence of the noble Lord at the head of the Government. As it was uncertain whether his (Sir George Grey's) noble Friend could be in his place on Monday, Members might be prepared to expect that on an early hour on Monday the House would go into Committee of Supply.

MR. HORSMAN said, it would be necessary for the noble Lord, if he intended to move the postponement of the Orders of the Day on Monday, so as to bring on the Question of Poland, to give notice of his intention to do so that evening.

SIR GEORGE GREY said, he had already intimated that it was uncertain whether his noble Friend would be present on Monday; but it was clearly impossible for him to give the notice referred to that evening.

MR. HENNESSY said, that after what had fallen from the right hon. Gentleman, he would fix his Motion for Thursday next.

TERRY'S RIFLE.—QUESTION.

MR. H. BERKELEY said, he rose to ask the Under Secretary of State for War, Whether the Commanding Officer of the 18th Hussars has reported on Terry's Rifle, now served out to that regiment nearly two years?

THE MARQUESS OF HARTINGTON, in reply, said, there was no official Report in the Adjutant General's Office from the Colonel of the 18th Hussars upon the subject. But he understood that the Commanding Officer was highly satisfied with the carbine, with the exception of a trifling difficulty as to the blank ammunition. If it were used with a greased wad, it was somewhat dangerous; if without it, it was liable to foul.

RECOGNITION OF THE CONFEDERATE STATES.—QUESTION.

The O'DONOGHUE said, it would next be very desirable to understand from the hon. and learned Member for Sheffield, Whether he intends to proceed with his Motion on Tuesday, for the recognition of the Confederate States of America?

Mr. ROEBUCK: My answer, Sir, is—certainly; and I am only astonished that there should be any doubt upon the matter.

THE MACLACHLAN CASE.

QUESTION.

Mr. MACAULAY said, he wished to ask the Lord Advocate, By what authority an oath was administered to John Ritchie, one of the persons examined by the Procurator Fiscal before the Sheriff of Lanarkshire, touching the truth of the statement made by Jessie MacLachlan after her conviction for murder, and for what reason that person alone was sworn to the truth of his answers?

The LORD ADVOCATE replied, that the Sheriff was entitled to put on oath any one examined before him if it should appear desirable to do so. The reason the witness was examined on oath was simply this, that it was thought necessary he should be so examined.

THE INTERNATIONAL EXHIBITION BUILDING.—QUESTION.

Mr. CAVENDISH BENTINCK said, he would beg to ask, When the Vote for the purchase of the Great Exhibition Building will be taken?

Sir GEORGE GREY replied, that he had already stated that the Vote would be proposed on Thursday, after the Fortifications Vote.

Mr. PEACOCKE said, he wished to know whether on Thursday the Orders of the Day will be postponed, for the purpose of allowing the Motion of the hon. Member for the King's County respecting Poland to come on?

The Marquess of Hartington

Sir GEORGE GREY said, that the hon. Member for the King's County was entitled, if he pleased, to give notice of a Motion respecting Poland for Thursday, but at present he could not say what course his (Sir George Grey's) noble Friend at the head of the Government would take in reference to that notice. At the same time, he had to express his obligation to the hon. Member for postponing the Motion from Monday.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

BOW STREET POLICE COURT.

QUESTION.

Sir GEORGE BOWYER said, he rose to ask the Secretary of State for the Home Department a Question with reference to some proceedings at the Bow Street Police Court, which were reported in *The Times* of Wednesday, the 24th instant. On the previous day a boy named Nicholls, twelve years of age, was charged with stealing a horse and cart from Covent Garden Market. His father stated that till about a month ago he was very honest, but that then, owing, he believed, to getting into bad company, he fell into evil courses, and he desired to send him to a reformatory. Mr. Corrie asked him if he would pay 5*s.* a week for the lad's maintenance; and he replied, that although he only earned 15*s.* a week, and had a wife and three other children to support, rather than the boy should go on as he was doing he would pay that sum. The mother stated that she was a Roman Catholic, and that, although her husband was a Protestant, the boy had been brought up in that religion. Mr. Corrie said that his religion did not appear to have done him much good, and perhaps the best way would be to change it. However, that was for the parents to settle. Upon consultation, the parents desired to have him brought up as a Catholic; but, being told that it would be easier to get him into a Protestant reformatory than into a Catholic one, they agreed to leave it to the magistrate to settle. He wished to know, Whether the right hon. Baronet had made any inquiry into that extraordinary statement of the magistrate; and whether he was prepared to give the House any information on the subject?

SIR GEORGE GREY said, that he knew nothing of the case until the hon. Baronet gave him private notice of the Question which he desired to put. He then looked at the report in the newspapers, and saw nothing in it which would justify him in calling upon the magistrate for an explanation. Mr. Corrie had, however, forwarded to him a memorandum in which he said that a Roman Catholic gentleman, a member of the Bar, had called his attention to the report, which was understood to imply that he had endeavoured to induce the boy to change his religion, adding that, from his knowledge of Mr Corrie, he was sure that he would not have done so. Mr. Corrie stated that the facts of the case were, that a boy twelve years of age was brought before him for a second time on a charge of felony. Mr. Corrie decided that it was a case which would justify him in sending the boy to a reformatory, and made inquiries as to the religion of his parents in order to determine where he should be be sent. The parents, of whom one was a Protestant and the other a Roman Catholic, were willing to leave the decision of that question to the magistrate; and he, having ascertained that all the instruction the boy had received was from a Roman Catholic priest or instructor, decided that the boy should be sent to a Roman Catholic reformatory at Walthamstow, if there were room for him there.

INTERNATIONAL EXHIBITION BUILDING—MR. HUNT.

QUESTION.

MR. DILLWYN said, he rose to ask the First Commissioner of Works, Whether Mr. Hunt, who has made the Estimate for the repairing, altering, and arranging the International Building at South Kensington, is the same Mr. Hunt who took out the quantities for Sir Charles Barry for the New Houses of Parliament, which quantities formed the basis of the first Estimate of £750,000 for the construction of the Houses of Parliament; and whether Mr. Hunt, who has been employed by Government to value the Exhibition Buildings belonging to Messrs. Kelk & Lucas, is or has been employed for Mr. Kelk as his surveyor and valuer?

MR. COWPER said, the difficulty he felt in answering the Question was to determine its meaning; the information asked for being of so trifling a character and so unworthy to receive the attention of the House. He presumed the object was to discover what inferences affecting the character and reputation of a professional gentleman employed by the Government might be drawn from that information. It was quite true that Mr. Hunt took out the quantities of the new Houses of Parliament for Sir Charles Barry—a fact which showed that twenty-six years ago he occupied such a position in his profession as entitled him to execute so important a work. The hon. Member probably wished to ascertain whether the expenditure subsequently incurred had been caused, in some measure, by errors in the quantities taken out by Mr. Hunt; and if that were his object, he would answer the question satisfactorily, on the authority of a document laid on the table of the House in 1837. The calculations made by Mr. Hunt and the drawings of Sir Charles Barry were subjected to a very close examination at the Office of Works, by the surveyor and architect of the Board; and Mr. Hunt's quantities were minutely gone into by two surveyors named Richardson and Corduroy. The result of their investigations was conveyed in the Report of the Commissioners of Woods and Forests, who submitted a Report from Messrs. Seward and Chawner, architects, appointed by them to examine and report on Mr. Barry's estimate for the new Houses of Parliament. That Report said—

> "In obedience to the commands of the Commissioners of Woods, &c., of the 27th of January and of the 3rd of February, 1857, directing us to report upon the estimate prepared by Mr. Barry, of the expense of erecting the proposed new Houses of Parliament, amounting to the sum of £707,104, we immediately commenced upon the subject of this reference, and after a most careful and minute examination of the numerous drawings of the details prepared by Mr. Barry for this building, comparing them with the several measurements of quantities, checking all the prices and calculations for the proposed works, we beg leave to Report that in our opinion the new Houses of Parliament can be satisfactorily erected according to the said drawings for the sum stated by Mr. Barry."

It followed, therefore, as far as Mr. Hunt's work went, that it had been carefully examined by competent persons and found to be accurate; and that the reason why the original estimate of £707,000 was exceeded was not because there had been any error in the original estimate, but because Sir Charles Barry disregarded the drawings which he had made.

COLONEL FRENCH said, he rose to order. He thought the right hon. Gentleman, in answering a question, had no right to make a speech.

MR. SPEAKER: It appeared to me that the question put by the hon. Gentleman was of a nature to require rather a lengthened reply.

MR. COWPER said, he was endeavouring to confine himself to the information required by the question. If any blame attached to any person, it certainly was not to Mr. Hunt, who made accurate calculations, but rather to Sir Charles Barry, who altered the drawings, and the House, which sanctioned the alteration and enlargement of the original plans. With regard to the other Question asked by the hon. Member, he found, upon inquiry, that Mr. Hunt was employed three years ago by Mr. Kelk to make a valuation of the land occupied by the Victoria station of the Pimlico Railway, on the faith of which valuation Mr. Kelk made a purchase amounting to £500,000. The hon. Member, in framing his Question, took no notice of the fact that the object which the Government had in appointing Mr. Hunt was to get a man at the head of his profession, possessing that amount of ability and experience which had given him his large practice and general employment. A man of that sort must have been employed either for or in opposition to contractors; and the only alternative for the Government to adopt would be to take a man of so little ability or experience that no contractor would employ him. If the hon. Member meant to draw from the fact that Mr. Kelk in a particular transaction placed reliance on the judgment of Mr. Hunt any inference derogatory to that gentleman, he would say that such an insinuation was utterly groundless. It was foreign to the habits of professional men to suppose that they would allow their judgment to be biassed by previous engagements. He would only add, as a matter of information to the hon. Member, that Mr. Hunt was one of the most truthful, straightforward, and honest of men; that he had an unblemished reputation.

THE GLASGOW MURDER.
CASE OF JESSIE MACLACHLAN.
OBSERVATIONS.

MR STIRLING: Sir, it is with great reluctance that I again call the atttention of the House to the painful subject of which I have given notice. But having obtained these papers, and having given to them and the discussions out of which they arose my most serious attention, three main facts have so strongly impressed themselves upon my mind that I should be wanting in my public duty if I did not seek an occasion of submitting them to the attention of Parliament. Sir, to my mind these papers and that discussion prove three things:—First, that the law of Scotland, as regards an important part of criminal procedure, is either very defective or at least very uncertain; second, that the verdict of a jury, and the judgment of a Judge have been set aside by a private inquiry conducted in an objectionable manner, and proceeding on evidence of a very questionable character; third, that the Secretary of State for the Home Department has been wanting in due respect to those whose duty it is to administer justice to Scotland, and that he has also inflicted a serious wrong upon an innocent person concerned in this case. First, Sir, as to the state of the law of Scotland. So long ago as the 14th November, the right hon. Baronet the Secretary of State, in his letter to Messrs Smith and Wright, replying to their request that a judicial inquiry might be held on the conduct of old Mr. Fleming, stated as the law of Scotland, "that a person, having been examined as a witness in a criminal trial, cannot afterwards be subjected to a criminal prosecution in respect of the matter of such trial." This opinion was afterwards, on the 28th April, confirmed in this House by the Lord Advocate, upon whose authority it had, no doubt, originally been made. "My opinion," said my right hon. and learned Friend, "undoubtedly is, that, by the law of Scotland, a person who has given evidence on a trial cannot afterwards be tried on the same charge." This opinion of the Home Secretary and of the Lord Advocate appears to bear a meaning wider than I humbly venture to think it was intended to convey. I believe my right hon. and learned Friend intended us to understand —and I speak under his correction—not that no witness on a criminal trial could afterwards be tried for the crime on which he had given evidence, but that no witness for the prosecution could be so tried. Having taken every means in my power to ascertain the opinion on this matter of persons learned in the law of Scotland, I must say that I have found no lawyer equal in authority and eminence to my right hon. and learned Friend who shares his opinion. The opinion of those learned friends whom I have consulted generally agree with that of my hon. and learned Friend the Member for Bute (Mr. Mure), as expressed in this House, that if a person who is known to be implicated in the crime is placed in the witness-box for the prosecution, he is, supposing him to tell the truth, protected from the consequences of his evidence; but that if a person unsuspected of the crime happens to give such evidence, he is not protected in Scotland any more than in England from the penalty of any guilt which may afterwards be proved against him. The case of Mr. Fleming therefore stands thus:—Advised by my right hon. and learned Friend, the Home Secretary has announced that he cannot, by the law of Scotland, try Mr. Fleming for the offence of which he has also told us he believes him to be guilty. Advised by my hon. and learned Friend the Member for Bute, another Home Secretary, supposing him to take the right hon. Baronet's view of Fleming's conduct, would have caused him to be tried for the crime of murder. When I find two learned Gentlemen, each standing in the foremost rank of his profession, one holding and the other having lately held, the post of chief law officer for Scotland, and chief authority in this House for Scottish affairs, and each speaking, after ample deliberation, and under the responsibility of his position—when, I say, I find these two persons propounding across that table diametrically contrary opinions as to the law of their country, in a matter touching the life and character of one of their fellow-citizens, I think I have a right to say that that law is either very defective or very uncertain. Believing with the hon. and learned Gentleman the Member for Tiverton, that the law of Scotland, as stated by the Lord Advocate, is unworthy of a rational country, I most earnestly and respectfully press upon the legal Members of this House the necessity of obtaining some alteration of a law so defective, or a declaration of a law so uncertain. I come now, Sir, to the subject of the inquiry by which the right hon. Baronet professes to have been guided in setting aside the verdict of the jury and the judgment of the Judge. I wish to say at the outset, to avoid misapprehension, that if the right hon. Baronet had merely commuted the capital sentence passed on the convict, without himself passing sentence on an untried man, he would never have heard my voice raised in this matter. With regard to the remission of the capital sentence, I do not blame, and I never have blamed the course which he adopted. In dealing with so delicate and difficult a matter, the Secretary of State must be guided by his own feeling and conscience, and not by the feeling and conscience of any other man. He is not required by law or by equity to give any reasons for the view he takes, and it is obviously better that he should give none. Accepting the verdict of the jury and the sentence of the Judge without comment and without question, he is nevertheless free to institute further inquiry, and, if he sees cause, to remit the sentence wholly or in part. In this trial, however, the circumstances of the case itself were so peculiar, the semi-public mode of the inquiry so remarkable, and the language of the Home Office so unprecedented, that public opinion, as expressed in this House, has wrung from the right hon. Baronet a publication of the process by which his course was guided, and by which his language must be justified. Previous cases had been producing great doubt and dissatisfaction in the public mind with regard to the action of the Home Office in the matter of pardons, and now that we have its ways revealed to us in a blue book, I think there is good ground for saying that the doubt had not arisen too soon, and that the dissatisfaction was by no means without foundation. Even with these papers before me, I have the greatest difficulty in placing upon the right shoulders the primary responsibility for this inquiry. I say the primary responsibility, because of the ultimate responsibility of the Home Secretary there is no manner of question. [SIR GEORGE GREY: Hear, hear!] In the matter of pardon, the Crown and this House know no more of the Lord Advocate than they know of the Under Secretaries of State. One part of the inquiry—that before the Sheriff of Lanarkshire, which began on the 30th of September—was commenced for the information of the Lord Advocate, and on his instructions. But the Sheriff and the Provost of Glasgow had already memorialized the Home Secretary for a "general investigation," to which memorial no specific reply had been received at that date. It seems fair to infer, therefore, that the Lord Advocate ordered the inquiry before the Sheriff, and that the Home Secretary, acting through the Lord Advocate, ordered the further inquiry before Mr. Young. But our view of the relations between them is rather obscured than enlightened by their speeches in this House. The Home Secretary distinctly informed us that he requested the Lord Advocate to direct an inquiry, if he thought an inquiry expedient. The Lord Advocate, on his side, told us he was nothing more than the agent of his right hon. Friend—"the hand," as he expressed it, "of the Home Office in Scotland." It is the old story of the bandying of responsibility between the Lord Advocate and the public Departments, amounting to the repudiation of responsibility, and which is the perplexity and the bane of the public business of Scotland. It would be a great relief to the Scottish Members if they could ascertain what is the relative value of this head and this "hand"—whether the "hand" is really directed by the head, or whether that force which results in the final nod of the supreme head is really communicated by the humble and subordinate "hand." Taking all the information we have on this matter, I am led to the conclusion that the "hand" and not the head did the lion's share of this very unsatisfactory piece of work. Now, Sir, let us see what was actually done. After a trial of four days, the jury of fifteen had unanimously found the prisoner guilty of murder and robbery. Her counsel then read a statement contradicting those previous declarations which purported to come from the prisoner, and asserting that the murder had been committed by Fleming, and that she, being present, had been bribed with plate and clothes to conceal the crime. The Judge heard this statement; he characterized it as a tissue of falsehoods, and he sentenced the convict to death. The jury heard the statement, and knowing that a strong effort would be made to get the convict pardoned, they agreed to hold a private meeting and decide as to whether they would join or stand aloof from this effort. Fourteen jurors attended this meeting. They considered that the statement could not be believed, and they determined to abide by their verdict. The case was referred to the Lord Justice Clerk. He also considered the statement, and he, too, adhered to the verdict and the sentence. The right hon. Baronet was not satisfied. He directed the Lord Advocate to commence an inquiry if he thought it expedient and an inquiry was accordingly set on foot. The convict was meanwhile told that she was reprieved, but no hope of pardon or commutation of sentence was held out unless the investigation confirmed the truth of her statement as to her share in the transaction. It is obvious that the first and main question which presented itself was, "Is this statement of the prisoner really and truly her statement. When, and how, and where, and by whom was it drawn up?" The only persons who could give any information to this question were the agents of the prisoner. They ought, therefore, to have been examined before any other witnesses, because upon their evidence the value of corroborative evidence wholly depended. The 30th of September, however, was spent in examining eleven other witnesses, whose evidence, if the statement turned out not to be authentic, was worthless. On the 1st of October the three agents of the prisoner, Messrs Wilson, Dixon, and Strachan, were examined. From their evidence it appears, setting aside points of some importance in which they contradicted each other, that the woman began to tell them her story as we have it in the statement on and after the 13th of August; that what she said was noted down by Mr. Dixon; that those original notes were the subject of long and anxious consultations between the agents and the counsel; that the prisoner desired that her statement might be used at the trial, but that her counsel thought it was too hazardous a course—that the notes, having been extended into the form of a statement, were destroyed—that this statement was from this time up to near the close of the trial considered and treated merely as a memorial for counsel, but that as the trial proceeded it was thought that it might be advisable to use it after the verdict, if the verdict were adverse, on behalf of the prisoner. On the third day of the trial, therefore, this statement, this memorial for counsel, or whatever else it might be called, was laid before the prisoner, and it was signed by her without having been read to her, because, says her agent, there was no time to do so This, Sir, is the document which the Judge and jury were told was the statement of the convict, and upon the authority of which the Home Secretary saw fit to order an inquiry to be made. I shall not exhaust the patience of the House by examining in detail the extraordinary history of the creation of this document, but I will merely assert, without fear of contradiction, that the evidence of these agents, men in all the vigour of youth, displays far more remarkable lapses of memory than are to be found in the evidence given at the trial by old Mr. Fleming in his 87th year. Such as it was, whether the work of the woman or the work of her agents, the statement was accepted by the Home Secretary, and formed the basis of an inquiry; and this inquiry has, in the opinion of the right hon. Baronet, confirmed the truth of that statement as to the convict's share in the transaction. Confirmation of any statement, I presume, means, not the corroboration of this or that trivial or non-essential portion of it, but the establishment, on clear evidence, of its central and principal part. Confirmation of this statement, I presume, means that reasonable proof has been given, not that the convict went out or came in at the time she said she did, not that she was in this street or that at the time she says she was, nor that this or that incidental circumstance of her story has received some fresh support, but that the principal and cardinal point of her story, the commission of the murder by Fleming, has been proved. If this has been proved, then the statement has been confirmed; if it has not been proved, the statement has not been confirmed. The right hon. Baronet will perhaps tell us how it has been proved, and how he defends his opinion that the statement has been confirmed. Observe, Sir, the right hon. Baronet had a perfect right to pardon the woman without any reason given. [Sir GEORGE GREY: It was not a pardon, but a commutation of sentence only.] The right hon. Baronet had a perfect right to commute the sentence passed upon the woman without any reason given, without a statement, and without an inquiry. But he has chosen to give a reason. He has chosen to say to the public, as clearly as words can express it, "I commute this sentence because this statement has been confirmed." He has also produced the evidence which he says contains the confirmation. I have now a right to ask him to point out to the House the passages which form that confirmation. Until I am further enlightened, I shall continue to believe, with the Judge, with the jury, with the Lord Justice Clerk, with the 2,300 memorialists who addressed the Prime Minister from Glasgow, and I believe the majority of the press, and of intelligent men, that the statement remains a tissue of wicked falsehoods —not the less false and not the less wicked because there are threads of fact running through the borders and fringes of its web of fiction. Now, a few words on the method of the inquiry. When I last addressed the House on this subject, I said it was rumoured—but I hope falsely rumoured—that the Lord Advocate, who had been responsible for the conviction, had undertaken the duty of inquiring whether it ought not to be set aside. The frank admission of my right hon. and learned Friend that he had undertaken, and had actually performed it, took me considerably by surprise. I am quite sure that he was doing no more than he believed to be right; but I am also sure he did a good deal more than some of the most eminent of his predecessors would have thought it right to have been. One vicious principle pervaded the whole proceeding, that of employing in the inquiry—avowedly a process by which the conviction was to be set aside wholly or in part—the very persons who were responsible for the conviction. The Procurator Fiscal of Lanarkshire, who, as part of his official duty, prepared and arranged the evidence against the prisoner, was employed to cross-examine her agents, with whom he had been contending through the whole case, as to their share in the production of her statement. I am far from saying a word against Mr. Gemmel's performance of this very painful duty, but it was a duty so delicate and so painful that it ought not to have been imposed upon any man except in the impossibility of getting any other competent person to perform it. That no such impossibility existed here is evident from the fact that the duty of conducting the inquiry was subsequently transferred to Mr. Young. Mr. Young, the Lord Advocate told us, was employed not entirely on account of his eminence at the bar, but because the Advocate Depute, who had conducted the prosecution, was out of the way. If the Lord Advocate could have found another person who had been previously connected with the case, and could have set him too to review his own proceedings, he would have preferred it. But I should like to hear, what I have not heard yet, why the inquiry at first intrusted to the Procurator Fiscal was taken out of his hands and transferred to another. The prisoner's agent, Mr. Wilson, commenced his evidence by making a deliberate attack on the impartiality of the Procurator Fiscal. He said—

> "Courting a full investigation, he protested against that investigation being conducted by the

Procurator Fiscals, or either of those by whom the case against Mrs. MacLachlan had been got up, and of whose conduct in the whole matter he disapproved."

The Sheriff interposed and the evidence at last was given, but still under protest against the employment of Mr. Gemmel. I want to know why this insult to Mr. Gemmel is thus flung on the table of Parliament without remark or explanation. Are we to gather therefrom that the protest was subsequently sustained, and that the inquiry was therefore taken out of Mr. Gemmel's hands and put into the hands of Mr. Young? I want also to know why—the inquiry having been previously conducted before the Sheriff and Procurator Fiscal, who had the power to examine on oath—Mr. Young was not armed with similar powers? I want to know who was employed in the inquiry under the gentleman already named — what Sheriffs and what Procurator Fiscals examined the witnesses at Dunoon, and Hamilton, and Alloa, and Edinburgh? I want to know why, at an inquiry in which the character, if not the life of Fleming, was so clearly at stake, he was not represented by agents; and upon what principle of justice a man is to be tried, either in Scotland or in England, as Fleming has been tried, for murder, in the dark and behind his back? Lastly, why, in an affair of this importance, were no written instructions given to any of the persons employed? Without pushing these questions farther, I would submit it to the consideration of the other Members of Her Majesty's Government and to the House, whether, if the Home Office is to institute at pleasure these arbitrary courts of appeal, it ought not at least to frame some general code for their guidance, and issue some definite instructions to the functionaries so employed. I now come to the most painful part of my case—the personal charge which I have to make against the right hon. Baronet of failing in proper consideration and respect for the administration of justice in Scotland, and of doing injustice to an untried and, I believe, an innocent man. The disrespect shown in the one case, and the injustice committed in the other, are so bound up together that there is some difficulty in separating them. Of the two, taken together and considered as a whole, I beg the right hon. Baronet to believe that I impute to him no offence beyond a mistake. I am confident that he has intended no slight to those who dispense justice in Scotland, and that he has and can have no animosity against Mr. Fleming. He, on the other hand, I am sure, will admit, that the mistakes of a Secretary of State, involving as they may involve great inconveniences to the public service, and inflicting, as this mistake has inflicted, great suffering on individuals, are not unworthy of the attention of the House. First, with regard to the disrespect shown to those who are charged with the administration of justice in Scotland. I must remind the House that this case caused the greatest interest in Scotland. Long before the trial came on, or anything accurate was known, two parties had been formed—those who believed in the guilt of the woman and the innocence of the old man, and those who believed the man guilty and the woman innocent. From the very outset the newspapers which are the woman's supporters indulged in the most violent language and the most scandalous imputations against those whose duty it was to bring her or any one else who appeared guilty to justice. Sheriff Strathearn, before whom it happened that she was first taken, and the Procurator Fiscal Gemmel, were accused of everything that was base and unworthy. They were, it was said, the intimate friends of the Flemings; they were bribed by the Flemings and their powerful friends; they were determined to get Fleming off, and they did get him off, sending this innocent woman to be tried in his place. When the trial came on, the Judge himself was assailed with similar abuse. Caricatures of the black Sheriff, the cruel Procurator Fiscal, and the iron-hearted Judge were freely circulated, representing them as receiving bags of money from the Flemings, and vowing in return that the prisoner should be hanged. Each day brought forth a fresh scandal and a fresh lie. These maligned officials, nevertheless, did their work honestly, calmly, and fearlessly, as it ought to be done. The case was submitted to the jury, and their unanimous verdict and the sentence were what we know. The verdict and the sentence were reviewed by the Lord Justice Clerk, and approved by him. Nevertheless the right hon. Baronet, as was his undoubted right, ordered a further inquiry. Now, what was his language in doing so? He said, "Tell the woman that her life will be spared only on condition that the investigation confirms her statement as to her share in the transaction." "Her share in the transaction!"—by these words the right hon. Baronet plainly evinced his belief that more than she had had a share in the transaction, in which the Judge and the jury believed her to be alone concerned—that, before the investigation had been begun, he had made up his mind against the verdict and the sentence. He might not know it, he might not intend it, but by the use of these words he placed himself at the head of the ribald press and the reviling mob. When the matter was last discussed in this House, the right hon. Baronet spoke with his usual fluent eloquence about the state of public feeling in Glasgow, and the inexpediency, in the face of that feeling and that interest, of carrying out the sentence. Did he say a single word in defence of his honest, faithful subordinates, who had been for months exposed to the most virulent calumnies? Not a word! He was occupied in merely defending himself—in reiterating his assertion that this famous statement had been confirmed, and that the woman, who had been found guilty of murder, was in truth only what he calls a *particeps criminis.* Sir, I think I am justified in saying that the right hon. Baronet, in his treatment of this case, has not treated the learned and honourable persons concerned with due respect and consideration, and that he has not given them the support which they deserved at his hands. Now, as regards the injustice done by the right hon. Baronet to Mr. Fleming. My position is, that the right hon. Baronet had no right to stigmatize as he has stigmatized this untried man. He told the convict and the public that she was respited until the investigation and inquiry, about to take place, had confirmed the truth of her statement as to her share in the transaction, and that confirmation was made the one condition on which her life would be spared. The inquiry ended; the convict and the public were informed, without further remark, that her life was spared. Was it not unreasonable to infer from the language of the one letter and the curtness of the other, that the condition had been fulfilled —that the truth of her statement as to her share in the transaction had been confirmed? Would any other inference have been equally plausible, or, rather, was that inference not absolutely inevitable? The silence of the right hon. Baronet, in the second letter, as to any modification of the condition laid down in the first, pledged his word as a Minister to the confirmation of the convict's statement. The confirmation of that statement implied the guilt of Fleming. The right hon. Baronet, therefore informed the public that Fleming was guilty. I have heard one excuse for the right hon. Baronet, and but one, which I dare say I shall hear again to night. It is said that this was a case in which it was impossible to spare the woman's life without throwing some shadow upon the man's character. You could not relieve the woman of any portion of the guilt without transferring or appearing to transfer that postion to the man. I admit that there was this difficulty; but I do not consider it a difficulty which it was not within the literary resources of the Home Office to meet and to overcome. But because the case presented this difficulty, because it required some skill and care so to write on the subject as to avoid casting some shadow upon Fleming, is that to be made an excuse for making the shadow as broad and as dark as possible? Assuming for a moment that it was the desire of the right hon. Baronet —a desire with which, of course, I do not charge him—to hold up Fleming to public odium as a murderer, in what better and more skilful and effectual manner could this have been done than by using the precise form of words which the right hon. Baronet did actually employ? The section of the Scotch press which so outraged decency and discredited its country by its coarse calumnies and foul accusations, might well take lessons at the Home Office in the art of dexterous and decorous insinuation of crime. Sir, I have called Mr. Fleming an untried man. In one sense, the literal sense, this is true. He had never been placed at the bar. But in another and equally practical sense, it is not true, because the suspicions of guilt which attached to him had been most closely investigated. He had been in custody for eight or nine days, and was released only by the direct order of the late Solicitor General of Scotland, now Lord Barcaple, than whom a more able and learned man does not sit on the bench. At the trial a question arising as to the propriety of putting a particular interrogation, Mr. Clark, the prisoner's counsel, said—

> "My Lord, one of my defences is that Mr. Fleming committed this murder, and I have therefore a right to lay before the jury the same evidence which would have been laid before them had Mr. Fleming stood at the bar."

The Judge made no objection, and upon this understanding the trial proceeded. By this counsel, one of the ablest men at the

Scotch Bar, in the full vigour of manhood, and all the force of a practised legal intellect, was this old man subjected to a severe cross-examination. I think, I may therefore say, that although Mr. Fleming is in one sense untried, he really stood a very severe trial, differing in little from the trial of the convict except in the fact that he had no counsel to defend him. Out of that trial he came, in the opinion of the jury and the Judge, unstained with guilt, the stigma of which was nevertheless cast upon him by the Secretary of State. Sir, I can quite believe that the right hon. Baronet has no idea of the extent of the harm he did, or of the suffering he inflicted. Men who had been disgusted by the calumnious violence of the newspapers, and who had read with pain how the old man had been hooted and hunted by the mob in the streets of Glasgow and Greenock, who believed with the jury and the Judge that he was innocent, even they, when these letters from the Home Office came out, were staggered in that opinion. They said to each other—"After all, there must be some grave evidence against Fleming. Sir George Grey is too good a man, too fair a man, to calumniate with the press or fling dirt with the mob. We thought Fleming was innocent—we now fear he is guilty." Sir, I reasoned in this very way myself; and I am sure the same thought passed through the minds of other men. I wavered in my faith in this old man's innocence, relying on the good faith, the sound judgment, the kindliness of the right hon. Baronet; and I believe others did the same. It was not until I saw that this cruel imputation was not followed by the action by which it ought to have been followed that I began to re-consider the matter, and to revert to my original opinion. I came to this House and stated this case of grievous wrong in such imperfect fashion as is in my power, and I said to the right hon. Baronet, "You are Secretary of State, and you had a right to accuse this man, and to bring him to trial, if you saw fit; but you had no right merely to accuse him, and to blast his character and that of his family, by writing such words as compelled the public to infer that you possessed proof that he was guilty of murder. Why, I said, have you not tried him? You say the law—or your interpretation of the law—prevents you from trying him for murder. Why have you not taken the course which is open to you, and placed him at the bar for perjury? If your stigma is well founded—if he has committed a murder from the penalty of which he is protected by a bad law—he has also committed perjury, from the penalties of which the law gives him no such protection. Why has he not been tried for perjury?" To this question the right hon. Baronet did not condescend, or did not find it expedient, to give any reply. I do not now repeat the question. These papers enable me to answer it for myself. I now tell the right hon. Baronet—with the knowledge that he will immediately reply to me—that one at least of the reasons why he did not try Fleming for perjury was, that he dared not. On evidence such as this no jury could have convicted, and the discredit of the trial would have fallen, not on the prisoner, but on those who placed him at the bar. Sir, the right hon. Baronet has had several opportunities on which he might have withdrawn this most unfounded, and I believe, at first, unintentional imputation. Messrs. Smith and Wright, in their courteous and sensible letters, twice appealed to him on the subject. I made a third appeal in this House. All these appeals were in vain. The right hon. Baronet prefers to adhere to his original blunder. He prefers to face the difficult task of proving the Home Office infallible, rather than to perform the easy, simple duty of recalling or explaining a few hasty words in a letter. So much for the wrong which, it appears to me, that the head of the Home Office has inflicted on Mr. Fleming and his family. One word more with respect to my right hon. and learned Friend the Lord Advocate, the "hand" of the Home Office in Scotland. It is due to my right hon. and learned Friend, whose reputation in this House and elsewhere is a matter of pride, and therefore of solicitude to his countrymen, to say, that he has distinctly refused, in all this unhappy business, to be the "hand" to strike this miserable blow at an unfortunate and persecuted old man. The right hon. Baronet tells us the convict's statement has been confirmed by the inquiry, or, in other words, that Fleming is guilty of murder. Speaking after him in this House, my right hon. and learned Friend had the courage and manliness to assert the directly contrary opinion. "The result of the inquiry," said my right hon. and learned Friend—and I marked the words well—"was not to criminate Fleming." In other words, the inquiry left Fleming precisely where he was left by the trial, and the woman's statement, as regards its cardinal and primary facts, was not confirmed. It only remains for me to say, in conclusion, that I did not move in this painful matter until I had ascertained that those who were better entitled and better qualified than I am to deal with it were not disposed to take it up. I have been prompted solely by a sense of public duty, and in no respect by private feeling; I have absolutely no acquaintance with any person concerned in the case, except the two right hon. Gentlemen opposite, whose proceedings I have been obliged to criticise; and that I am well aware how much my performance of what I believe to be a duty has needed, as it has certainly received, the kind indulgence of the House.

MR. DUNLOP said, he believed that the Home Secretary could not, under the circumstances of the case, have done anything but respite the woman MacLachlan. There was a feeling prevalent at the time, not on the part of the rabble merely, but on the part of those who had well thought over and considered the whole proceedings of the trial, and also among the mass of the people of Scotland, that if this woman had been executed while Mr. Fleming, against whom so much suspicion had existed, was not even tried, a gross act of unfairness would have been done. To warrant the carrying-out of the capital sentence it was not enough that the verdict itself should have been justified, but it was necessary that the sympathies of men of right feeling should go along with it. The exception he took to the course which had been pursued in the case was, that he thought the man ought also to have been tried. There had been great mismanagement, and to show that he begged to be allowed briefly to advert to some of the particulars of the case. The House would remember that Fleming was living alone in the House with the murdered woman, and his account was—that he had gone home to dinner; that he afterwards went out to take a walk; that on his return he went down to the kitchen, where the woman, afterwards murdered, made tea for him; that he went upstairs to bed at half past nine o'clock, and was awoke by a loud scream, when he looked at his watch and found it was exactly four o'clock. Another person was awoke by a loud scream—Mr. Stewart, who lived next door to Fleming. He had gone to bed at eleven o'clock, and immediately fell asleep, and the scream which awoke him might, he said, have occurred at a quarter past eleven o'clock, but could not have been later than one o'clock. A sempstress going home about a quarter past eleven o'clock had occasion to pass Fleming's house, in front of which two separate parties were standing, listening, and one of whom she heard saying, "It came from that house where the light is,"—that is, Fleming's house. They passed on, and her attention was then arrested by a moaning or wailing noise, tallying exactly with the scream heard by Mr. Stewart. Now, he ventured to think, if the frightful wounds found on the body were commenced at eleven o'clock, the murdered woman could hardly have emitted so loud a scream as to awake Fleming at four o'clock. A party coming home from a wedding, having to pass the scene of the murder at four o'clock in the morning, stopped opposite Fleming's house to hear the birds singing, and they heard no noise whatever in the house. From the beginning, therefore, there was reason to suspect that Fleming's statement had been a mere invention. Fleming went on to state, that going to sleep again, he awoke at six, and lay in bed till nine o'clock, wearying for his porridge, which was usually brought to him about eight o'clock; but it was clearly proved that he was up at half past seven, and had opened the street door to the milkman at twenty minutes to eight o'clock. He lay in bed, he said, till nine, when the murdered woman not coming with his porridge, he went down stairs, and found her door locked. He rapped, but received no answer, when he returned upstairs and opened the door for the first time to a woman who came for a spade. In his examination he concealed altogether two ringings at the bell—one by the milkman, with respect to which, in his cross-examination, he broke down; but he finally admitted that he had got up before the milkman came, and opened the door to him. The other he did not let out at all; but it was a very peculiar fact that a girl had called who had been engaged by the murdered woman to "char," and Fleming asked her to come in and scrub part of the lobby, where marks had been in the floor, for which purpose he brought her water and a piece of flannel. Then with regard to the various modes of egress by which the murderer could have made his escape. The back door was locked inside. The front area, 6 feet 3 inches high, was covered by an iron grating.

The window of the room where the woman was found had iron stanchions. Another window had also iron stanchions, and a wicket, which was kept bolted. By the area no person could escape without leaving marks. The Superintendent of Police was asked as to the state of the area, and there were no footmarks, or other indications of any attempt to escape. The door upstairs old Fleming took great care often enough to mention was not locked, but merely on the latch or sneck, as they termed it in Scotland. Even before he was asked the question, he volunteered a statement to that effect. Fleming appeared to be very anxious about that fact, because it was quite clear, that if that door had been fastened inside, either the murderer was still within the House or had been let out by him.

Mr. BAILLIE COCHRANE said, he rose to order. He submitted that it was a piece of monstrous injustice in the hon. Gentleman conducting a prosecution against Mr. Fleming.

Mr. SPEAKER ruled that the hon. Gentleman (Mr. Dunlop) was in order.

Mr. DUNLOP said, he was rather conducting a prosecution against his right hon. Friend below him, because he said there were sufficient grounds, not only to warrant, but to require that old Fleming should be put at the bar with the woman. He would not, however, enter further into the details of the case, beyond observing that he thought his hon. Friend had taken a somewhat erroneous view of the nature of the effect to be given to the statement made by the woman. That statement was not, of course, to be looked upon as got up in the perfect form which would demand that implicit reliance should be placed upon it as a matter of testimony. He must, at the same time, observe that the carelessness with which its minute details were strung together, tended rather to add to than detract from the weight to be attached to it, inasmuch as he doubted whether the right hon. Baronet the Member for Herts (Sir E. Bulwer-Lytton), with all his ingenuity and skill, could narrate so minute a story without having a full opportunity of devising it, and seeing that the various particulars fitted accurately one with the other, unless he were giving a narrative of facts. But, be that as it might, he thought it utterly impossible that his right hon. Friend the Secretary for the Home Department could have acted otherwise than he had done—to advise that the capital sentence should not be carried into execution.

The LORD ADVOCATE said, that however inconvenient it might be to discuss questions such as that under consideration in the House of Commons, he was not sorry that an opportunity had been afforded of explaining how the facts connected with the proceedings in the case really stood, and therefore he would not complain that his hon. Friend the Member for Perthshire had deemed it to be his duty to ask for information on the subject. In doing so he had made certain charges against those who took an active part in the proceedings to which it was desirable an answer should be given. Those charges, so far as he could gather them, were comprised under three heads—the first being that the law of Scotland was in a very imperfect and unsatisfactory state—as evidenced by the difference of opinion between himself and his hon. and learned Friend the Member for Bute—in regard to the power of trying persons who had been witnesses in a criminal case in a charge arising out of the same prosecution; the second, that while not disputing the right of his right hon. Friend the Secretary for the Home Department to institute the inquiry which had taken place, the inquiry was conducted in a very objectionable manner; the third, that the right hon. Gentleman had treated the learned Judge in the case with disrespect, and had inflicted a cruel injury on Mr. Fleming. The hon. Gentleman, however, although he made accusations under those three heads, did not complain of the commutation of the sentence in the case, or of the institution of the inquiry which led to it. What, then, became of the charge against his right hon. Friend of having reviewed the sentence of the Judge—a charge to which the hon. Gentleman opposite gave countenance and support—if it were admitted, as it had been that evening, that his right hon. Friend was right in not allowing the woman to be executed. He was glad to have such a confession at last, for it showed that in the main point involved the course pursued by the Government was beyond question. The mode in which the Royal prerogative of mercy was exercised was different from that in which justice was administered. The jury did their duty in the case, and the learned Judge his duty, and then the prisoner was in the hands of the Executive, and there was no power in either jury or Judge to tie up the hands of the Home Secretary as to the course which it was his duty to recommend should be pursued. A Petition was presented for mercy, and it was the duty of the Home Secretary to review the sentence before he recommended the exercise of the prerogative of the Crown. And was not, he would ask his hon. Friend, the exercise of the Royal prerogative of mercy in the case as constitutional a proceeding as the verdict of the jury or the sentence pronounced by the Judge? It was not the reviewing of a sentence, but the exercise of an important and independent function vested in the Crown. It was not, however, after the admission which had been made, necessary that he should enter further into that part of the question, and he should therefore proceed to deal with the first charge made by his hon. Friend. He said that the law of Scotland was extremely defective and not worthy of a civilized country, because a witness examined in a prosecution in a criminal case could not be afterwards tried on the same accusation. Indeed, he was informed that that was a point on which the greatest authorities differed from him, but, while he declined to reply to unseen antagonists, he should state the reasons for the opinion which he held on the matter, and the House would then be able to judge what foundation there was for that which had been made a ground of charge against the Government, but which was in reality aimed against the Law Officers of the Crown. It was not such a technical matter as not to be open to those who would take the trouble to look into it. It had often been considered in the courts of Scotland and in the courts of England. In England an accomplice who was examined for the prosecution had only the hope of receiving a pardon, and might be tried afterwards in the ordinary way. In Scotland the law took this turn, that when a public prosecutor put an accomplice into the box, that person received a perfect immunity in reference to the charge as to which he gave evidence. That arose in this way. There was a disinclination to allow a witness to be examined who had an interest in the subject-matter of inquiry. The objection was constantly taken that an accomplice had an interest, because he could be tried, and at first that was got over by procuring a pardon. But gradually the law came into a better and far more liberal and philosophical state. The courts held, that if the public prosecutor chose to put a person in the witness-box, whether in point of fact any bargain was made or not, whether the witness turned out to be an accomplice or not, whether he was supposed to be an accomplice or not, the fact of putting him in the box and examining him gave him immunity from prosecution upon any charge arising out of the same transaction. It was all very well for the hon. and learned Member for Tiverton (Mr. Denman) to say that was an uncivilized state of the law; but if the hon. and learned Gentleman had paid a little more attention to the matter, he would have seen that there were two sides to the question. The law of England tended to prevent the escape of the guilty. The law of Scotland tended to prevent the conviction of the innocent upon tainted testimony; and, in his opinion, that was the truest and best view. It was far better that a person who had had a hand in a crime should escape, from being taken as a witness, than that in every case an accomplice should give his testimony with the certainty of being exposed to the chance of prosecution for the same crime, and therefore interested in securing by any means the conviction of the accused. It was better to procure pure testimony, even at the risk now and then of the guilty escaping punishment. Burnett was an authority in favour of that view. "It is a wise and humane indulgence," he said, "which, while it secures impunity for those who aid in the discovery of crime, insures pure and unconstrained testimony." "Our usage is better calculated than the usage of England to secure free and unbiassed testimony." Hume wrote to the same effect. In 1794, in the trial of Watt and Downie for high treason, which, although it took place in Scotland, was conducted according to English forms under a commission of *oyer* and *terminer*, it was distinctly laid down that the accomplice could not be brought to trial for the same crime after the prosecution had made use of him as a witness. In 1807, on a trial for murder committed in the course of a military riot, a witness was objected to by counsel for the prisoner, on the ground that he was interested in convicting the prisoner, because he might be tried for the riot, and it was held, that if he gave evidence upon the subject-matter of inquiry, he could not be tried even by the military authorities. The decision in the case of Burke and Hare, by Lord Meadowbank and Lord M'Kenzie, and the writings of Sir Archibald Alison upon the Criminal Law of Scotland, also laid down the same doctrine, in words which it was impossible to mistake. He held it to be clearly a better state of the law than that of England, and he had never known or read of a single instance in which justice had been defeated by its operation. He would remind his hon. Friend that the law to which he referred had been built up by the greatest lawyers whom Scotland ever saw, men who had given a character to that law anterior to the time of Romilly, when the English Criminal Law would not allow the services of counsel for the wretched prisoner trembling and shivering in the dock for his life.

He now came to the second point—that the inquiry had been conducted in a very objectionable manner. His hon. Friend said it might be right to inquire, but it was not right to inquire in this way. He had also been taken to task by the hon. Gentleman who had just sat down because at the trial he had not put old Fleming in the dock. There was no doubt a great deal of mystery about the case, and it was all very well to criticise after the event, but it was necessary at the time to decide and take a line. Persons might write violently in the newspapers, but every one who has really to decide and to act in criminal prosecutions must feel a deep solicitude and sense of responsibility. The case was originally considered very maturely by a very competent authority, the late Solicitor General. He himself had nothing to do with getting up the materials, being at the time in London. The case stood thus. Whatever remarkable features there might be in the evidence of Fleming, it was perfectly clear that the women MacLachlan was cognizant of the events of that night ; and as her statement was false, and she had made no statement incriminating anybody else, it was impossible to come to any other conclusion than that she was guilty of the crime. The theory afterwards suggested had not then been suggested, and the sole case which the Law Officers had to consider was that MacLachlan was guilty of the murder ; and that the statement she made was true. There could be no doubt, however, that the statement she had made was utterly false. Therefore, his learned Friend had declined to put Fleming at the bar. As far as he himself was concerned, he had done what any one else who had held his office would have done ; he had done just what he felt it his duty to do, on views not suddenly taken up, but on views which had been matured by considerable experience of his office. He certainly had never known a more unjust attack than that which had been made on his right hon. Friend, who was charged with a most anxious and responsible duty. He had read MacLachlan's statement, for the first time, in the Scotch newspapers. At that time his right hon. Friend had received a petition for mercy (along with numberless applications), which he forwarded in the usual course to the Lord Justice Clerk. He had read that statement, not without interest, and not without considerable perplexity ; in fact, he was greatly moved by it. Not that it necessarily impressed on his mind a sense of the woman's innocence, but the theory which it suggested had never been before the jury nor the public prosecutor. It was a theory quite consistent with the whole course of the evidence, which, though it might be utterly false, had never before been considered, and which pointed out the means by which it might be corroborated by naming various persons to whom application might be made. Besides that, it contained a direct charge against old Fleming, stating that the woman was an eye-witness of his guilt. His hon. Friend said, that the Lord Advocate, as public prosecutor, had nothing to do with petitions of mercy. That was true only in a sense. The public prosecutor's duty ended with a conviction. But would the hon. Gentleman say, that if the public prosecutor had reason to think that he had prosecuted an unhappy prisoner to the death on evidence which he began to suspect was not altogether satisfactory, it was his duty to sit still and let the law take its course ? Was there a man of ordinary humanity, even if he were a private prosecutor, who could rest on his pillow if he had reason to think that the verdict which condemned a fellow-creature to the gallows was founded on a mistake ? It was impossible to maintain that for a moment. The office of public prosecutor was of the nature of a Minister of Justice—at least, it was to see justice done—and he would have been liable to the gravest censure if, having reason to think that the verdict was not sufficiently supported by the evidence, he had kept that opinion to himself, and had allowed the law to take its course. He believed all his predecessors would have taken the same course which he took. The new evidence which was brought forward was not before the public prosecutor when the case was prepared, and he was entitled to ask how it was that it was not before him. There was a charge made, too, against another man, which might have been made the subject of a serious proceeding, and he was entitled to inquire into that. The hon. Gentleman was under a serious misapprehension when he said that he had intruded himself into the matter unasked, having no function to do so. Where petitions of mercy depended on facts which were before the Judge and jury, and where there was no question of law, it never had been the custom to take the opinion of the Lord Advocate officially, and still less for him to volunteer it. But, in the confidential relations which ought to prevail between the Home Secretary and the Lord Advocate, the Home Secretary might ask the Lord Advocate for his opinion; and when there was to be a new inquiry, he maintained that not only was it the right and the duty of the Home Secretary to ask, and for the Lord Advocate to give his assistance, but there was no other constitutional and regular mode of proceeding. After reading the statement, although he was greatly troubled by the state of matters, he did nothing and he heard nothing; but a week after, and within less than a fortnight of the time when the law was to take its course—on the 27th of September—he received a letter from his right hon. Friend the Home Secretary, asking him what means of information there were, and what was his view of the course to be pursued. Would the hon. Gentleman opposite say that it was his duty to refuse to give the Home Secretary any advice or assistance? He did what he conceived to be his duty in the matter, and what he should do again, and what he believed no one in his position could refuse to do without injury to the public service. His opinion was, that if the statement turned out to have been made, as was said to be the case, early in the proceedings and long before the trial, if it turned out that it was corroborated by the witness named in it, his right hon. Friend could not avoid an inquiry into the facts. He thought, also, that if it turned out that the statement was *ex post facto*, or if the witnesses contradicted each other, clearly and explicitly, it was a serious question whether any action should be taken upon it. The course he took was this, and it would explain, perhaps, all that his hon. Friend found so mysterious in the documents. He happened to be in Glasgow on the 29th of September, and he delayed answering his right hon. Friend until he had seen the Procurator Fiscal, to learn something from him as to the nature of this statement. He saw the Procurator Fiscal, who informed him the excitement was so great that a communication had been sent to the Home Secretary asking him to order an inquiry. Having arrived at the conclusion, that if an execution was to take place, it ought to take place on the day named, because a respite would be calculated to increase the excitement, he at once gave instructions to the Procurator Fiscal to inquire into the origin of the statement which had been forwarded from the prisoner, and to obtain possession of any information he could procure with reference to that statement. On his return home he found another letter from his right hon. Friend the Home Secretary, which entirely warranted him in the step he had taken. The Procurator Fiscal made his examination as speedily as possible. His hon. Friend did not understand why the evidence of the persons examined by the Procurator Fiscal should have been taken at different places, but all that was in regular order. On the 3rd of October he communicated to his right hon. Friend the Home Secretary the details forwarded to him by the Procurator Fiscal; and on the 4th his right hon Friend announced that an inquiry was to be held, and respited the prisoner. His hon. Friend said, that because the Home Secretary had stated that unless the prisoner's statement was corroborated she was not to expect mercy, his right hon. Friend had entered into a compact to execute the woman if her statement was not proven. That was not the correct interpretation of his right hon Friend's words, which only meant that the prisoner was not to have her hopes falsely raised. On the same day as that on which the respite was sent to Scotland, his right hon Friend requested him to exhaust the inquiry into the statement made by the prisoner. He quite agreed with his hon. Friend that the language used by some of the newspapers against the Procurator Fiscal, and the Sheriff Substitute, was highly discreditable to that portion of the press of Scotland which had indulged in it. The imputations of those newspapers were most calumnious, and utterly devoid of the least foundation. His hon. Friend complained that on a former occasion he omitted to make this statement. He regretted the omission quite as much as his hon. Friend. He had intended to state his opinion with reference to those attacks on two public officers; but, perhaps because he was anxious to reply to an attack which his hon. Friend had just made on himself, he inadvertently omitted to do so. It was but due to the Procurator Fiscal that he should express his opinion that a more honest and faithful officer did not serve the Crown. His zeal and ability were not greater than his integrity. With regard to the Sheriff Substitute, it was not for him to speak of that officer in the same terms; but this he might say, that the Sheriff Substitute could well afford to allow those attacks to pass with the silent contempt which he had hitherto shown them. He believed they were totally destitute of foundation. His hon. Friend seemed to think it was an imputation on the Procurator Fiscal to send any one else to make the inquiry; but it was not so. His hon. and learned Friend the Member for Bute would bear him out that on such occasions inquiries were made by the officers of the Lord Advocate. The Advocate Depute was enjoying his holidays at the time; and wishing to have recourse to the ablest assistance he could procure in Scotland, he asked his hon. and learned Friend Mr. Young, who, beyond all doubt was at the head of his profession, to undertake the inquiry. His hon. Friend the Member for Perthshire was right in saying that he had given Mr. Young no instructions. He had simply placed the documents in his hands, and asked him to go to Glasgow and endeavour to come at the bottom of the business. He admitted that in the papers the inquiry did not seem to have been a very methodical one; but it was quite as much so as were inquiries of a similar character carried on in England, and never did any inquiry take place after a verdict which was more cautiously and anxiously made. It was said that old Fleming ought to have had permission to be present at the inquiry; but he must remind those who took that view of the matter that the question was one between the prisoner condemned to death and the Royal prerogative. That being so, could it for a moment have been permitted to a third party to come in and say he had an interest in the execution of the prisoner, and therefore ought to be allowed to step in between her and the Royal prerogative? It was quite true that there was an inquiry into the conduct of old Fleming; but still the question was one between the woman condemned to death and the Royal prerogative. It might have been a hardship on old Fleming that he was not allowed to be present at the inquiry, as it was a great hardship on him to have been placed in the witness-box without the assistance of counsel; but in both cases the hardship on the individual was necessary for the ends of justice. He had now dealt with the second part of his hon. Friend's accusation. There were those who objected that this investigation had not assumed the complexion of a judicial inquiry. Of course, it did not. It was not a judicial inquiry, but an executive inquiry to inform the mind of his right hon. Friend.

In the third place his hon. Friend complained that a discourtesy had been offered to the Judges, and an injustice done to old Fleming. He was sorry that his hon. Friend should entertain the idea that any discourtesy had been offered to the Judges. Having said so much with regard to the Procurator Fiscal, he might say that the attacks upon the Judges were of the grossest and most improper description. Himself and the Solicitor General had considered whether they should not be made the subjects of legal proceedings, but they had thought that in this free country the public contempt which had attended these attacks was a better protection for the reputation of the Judge than any more formal proceeding. He hoped that that would satisfy his hon. Friend. There was not upon the bench in any part of the United Kingdom a man of greater ability or higher honour than Lord Deas. But the abuse was not all on one side. It was true that after the conviction of Mrs. MacLachlan a storm broke out and raged with a fury which was only to be accounted for by the fact that this became to a certain extent a class question, the working classes being in favour of Mrs. MacLachlan and the higher classes in favour of Fleming; but, from the moment that the sentence was commuted, the storm, which had blown with such fury in one direction, veered right round and blew just as furiously in another. The heroine of yesterday became the murderess of to-day, and the scapegoat the martyr. The gentlemen who had complained so much and so justly of the scandalous spectacle of a public meeting being called to impugn the verdict of a jury and the sentence of a Judge saw nothing unusual and nothing improper in signing a round-robin in the Glasgow Exchange to the Prime Minister, complaining of the equally independent conduct of the Secretary of State in advising the Crown as to the exercise of the prerogative of mercy, and to his astonishment had actually mentioned that circumstance with approbation. He would not enter into the grounds upon which the sentence was commuted. He need only say that his right hon. Friend in one of his communications explained that that step was not taken because it had been found that old Fleming was guilty of the murder, but because all the evidence was not before the jury. His right hon. Friend did not say that the prisoner was innocent, or that old Fleming was guilty; he simply said that in the doubt and mystery which attended the case it was better not to break into the house of life, but to commute the sentence to the next highest punishment, and leave it to time to unravel a mystery which all his care and patience had not enabled him to unveil.

SIR GEORGE GREY: Before this discussion closes, I wish to say a few words. I have already stated the general grounds on which I have acted in the case when the hon. Member for Perth moved for papers a short time since; and my learned Friend has so fully gone into the details, that I will not travel over the ground again. I do not complain of the hon. Gentleman the Member for Perth having brought this subject forward. On the contrary, I am glad that he has done so, and I think he exercised a wise discretion in abstaining from inviting the attention of the House to minute details of evidence. My hon. Friend having said that he had some difficulty in finding out with whom the primary responsibility rested, I wish to state that in all these cases both the primary and the ultimate responsibility rests with the Secretary of State. My right hon. and learned Friend did not act in the matter until I had expressed to him my desire that he should do so; and I think that his statement must have convinced the House that he conducted the inquiry in the manner which was most calculated to effect the object we had in view. The hon. Gentleman complained that when I addressed the House on a former occasion I defended myself, but said nothing in defence of the learned Judge who conducted the trial; that, in fact, I had exposed the Judge and jury to the imputation that they had misconducted the trial. The hon. Gentleman has overlooked the fact that I then stated that upon the evidence which was before the jury I did not think that any other verdict could have been come to; and this is the first time that I have ever heard it even insinuated that the course which I took was held by the Lord Justice Clerk to imply the slightest disrespect to men for whom I entertain the highest respect. Of Lord Deas I have no personal knowledge, but I have the greatest respect for his learning and character, and I should be deeply grieved that any step which I might take should be thought to imply any disrespect to him. With regard to the Lord Justice Clerk, with whom I have a slight acquaintance, I may state that when I had formed my decision, anxious that he should understand the grounds upon which I had acted, I wrote to him a letter, marked "private," in which I stated those grounds, and expressly disclaimed any disrespect either to him or Lord Deas. I was gratified by receiving from him a most courteous acknowledgment of my letter, with a request to be allowed to show it to Lord Deas, to which I immediately gave my consent, having from the first intended that it should be shown to that learned Lord. I will not detain the House by entering into an explanation of the principles upon which the Secretary of State acts in these matters, except to say that he has in all cases the valuable assistance of the permanent Under Secretary, whose legal knowledge and intimate acquaintance with the criminal law is well known, and, in ninety-nine cases out of a hundred, of the opinion of the Judge. I trust that the explanation which has been given by my right hon. and learned Friend will remove any misapprehension which has existed with regard to the course taken in this instance, and I am very glad that he has had the opportunity of making that statement.

MR. SERJEANT PIGOTT said, that nothing could be more satisfactory than the explanation of the learned Lord Advocate; but the question as to the powers and duties of the Secretary of State in regard to the commutation of sentences was one of great importance. Nothing could be more anomalous and unsatisfactory than, that where a jury had tried a question of guilt or innocence, the matter should go before another and secret tribunal, where, upon a new inquiry, the question of guilt should again be determined. If capital punishment were to be continued, he thought it worthy of consideration whether there should not be an appeal; and if there were a ground of appeal and a question were to be tried again, whether it should not be in public and by a new jury. He believed the Secretary of State would soon be of this opinion rather than continue to be subject to such imputations as had been cast upon him that evening. The question was one which sooner or later must occupy the attention of the House.

Mr. BLACKBURN said, that the substance of the Lord Advocate's speech seemed to be that it was a question of mercy to the guilty person, and that there was no intention on the part of the Government to throw a suspicion on anybody else. He regretted that the right hon. Gentleman the Home Secretary had not also stated as much, because it had been thought that he had cast an imputation on old Mr. Fleming. It would have been satisfactory, therefore, to find that now the Home Secretary agreed with the Lord Advocate, and that they did not believe one tittle of MacLachlan's statement. Having read through the evidence which had been published, he confessed that he could not find a syllable in it which confirmed that statement.

Mr. MURE said, he felt that the question before them was a very delicate one for the House to discuss, for it was one affecting the prerogative of the Crown, and perhaps the most important prerogative—namely, that of mercy. Therefore, upon the conclusion arrived at by the right hon. Gentleman the Home Secretary, and arrived at upon a careful and an ample consideration of all the facts, he did not intend to offer a single observation. After the explanation which had been given by his right hon. and learned Friend the Lord Advocate, he was happy to say that there did not appear to be much difference between them. But he still disputed the broad proposition which appeared to have been laid down by the right hon. Gentleman, that when a person had once been examined as a witness upon a criminal trial in Scotland, that person could not be tried upon the charge with reference to which he had given evidence, even if it turned out that he was actually the person who committed the crime. He knew of no decided case in which the law as thus laid down by the Lord Advocate was set forth, nor did he believe that any decision could be found to establish such a proposition, unless at the time the witness was put into the box, being a suspected person, there was some understanding, expressed or implied, on the part of the prosecution, that he was to make a full disclosure of all that he knew respecting the crime in question. The authorities cited by the Lord Advocate seem to refer to cases of that kind, in which the person was under suspicion at the time of his examination, and therefore gave evidence under peculiar circumstances. Now, he did not know whether anything passed between the Law Officers and Mr. Fleming which would bring that person within such a category, and prevent his being tried for the crime. But in all that took place of which the public were aware Mr. Fleming appeared to be treated as an innocent man, not lying under any suspicion, and he did not think any authority could be found in the Scotch law for saying that a person who had given evidence under such circumstances could not by possibility be tried. Suppose, for instance, that a man living next door to the house in which a murder took place produced at the trial a plan of the house and approaches, and gave evidence upon that point only. Would it be contended that, according to the law of Scotland, if it were afterwards found that he was concerned in the murder, he could not be put on his trial because he had previously been a witness in the case? Down to the date of the verdict he did not see what other course was open to his right hon. Friend than the one which he had taken; but it would, perhaps, have been more expedient if the subsequent investigations had not been left in the hands of the Lord Advocate, but had been conducted directly from the Home Office.

The LORD ADVOCATE observed, that he had been misunderstood as saying that a meeting had taken place at the Glasgow Exchange, whereas he meant to say that a petition had been signed there.

THE IRISH CHURCH ESTABLISHMENT.

SELECT COMMITTEE MOVED FOR.

Mr. BERNAL OSBORNE: I rise, Sir, to move, "That a Select Committee be appointed to inquire into the present Ecclesiastical Settlement of Ireland." In common with many Members on both sides of the House, I cannot but regret the position which the question of the Irish Church has assumed. I am not surprised that my hon. Friend the Member for Swansea (Mr. Dillwyn) is disappointed at the somewhat Fabian policy of Her Majesty's Government in dealing with the question which he brought before the House. At the same time, the hon. Member should remember that great ignorance prevails in this country as to the position and prospects of the Irish Church; and so long an interval has elapsed since our treatment of this question, which was formerly the stalking-horse as well as the stumbling-block of the Whig party, that no doubt it finds little favour now with the occupants of the Treasury bench. There is another consideration. It is easier to make appeals and read lectures to the Emperor of Russia on behalf of the Poles than to legislate for the people of Ireland. I can well imagine that the ghost of Banquo, rising in the midst of the festivities, was not more unwelcome to Macbeth than the re-appearance of their long-buried associate must be to the noble Lord and those of his Colleagues who formerly rocked the cradle of the Irish Church agitation, and who finally stood by, if not as murderers, at least as mutes at the funeral of their old friend—appropriation. But in spite of the apathy of the House and the disinclination of Her Majesty's Ministers, in the face of the Returns moved for by my hon. Friend, and in the face of the Census of 1861, it will not be possible for any long period for this House to avoid dealing with the question of the ecclesiastical settlement of Ireland. That question is not whether we wish the Irish Church to remain as it is, but whether it will be possible to maintain that Church without extensive reforms and new adaptations.

I have said that great ignorance prevails in England upon this subject, and I cannot but think that more knowledge is displayed here of the concerns of China than of the affairs of Ireland. Deceptive statements are so often put forward by people in high places that the real question is but imperfectly understood by the people of this country. From time to time the Viceroy draws a flattering but delusive picture of the prosperity of Ireland, to the astonishment of the residents in that country, but to the admiration of a brilliant and believing staff. My right hon. Friend the Secretary for Ireland, taking his cue from his vice-regal master, denies all statements of Irish distress in this House, and it is not until the expiration of three years that the Chancellor of the Exchequer, urged by financial pressure, acknowledges a wide-spread distress, almost unparalleled in history. The fact is, that Ireland is now much in the same position as it was twenty years ago, when Lord John Russell, in opposition, described the country as occupied, not governed. The Ireland of to-day is occupied, not governed. I will grant there is the tranquillity of exhaustion on the surface, but discontent, if not disaffection, remains beneath. It may be said that there are so few Irishmen connected with the Government that they have no means of information of the circumstances of Ireland. But there are such numerous opinions upon the subject of Ireland, and especially the Irish Church, that I will not weary the House by reading all the opinions of Whig secretaries and Whig Lords Lieutenant; but there are three Gentlemen immediately connected with Ireland whose opinions I feel bound to read to the House. The first opinion I will read is that of a noble Lord who has run a purely Irish career—I mean the noble Lord who now presides over the destinies of that country. As Lord Morpeth he was Secretary for Ireland in 1835; and what was then his opinion of the Irish Church? He describes it in a way I would not venture to describe it—"as a Church without a flock, and a clergy without congregations;" and he said "that the worst gains of the sinecurist were kept up by the worst principles of the bigot." That was the opinion of Lord Morpeth, but the Earl of Carlisle now dispenses the patronage of that Church to the satisfaction of his old opponents, the Orangemen. Then, again, we have a high authority saying, in the year 1843, but upon the other (the Opposition), side of the House—

> "I will venture to say, that you will not find in any country in the world a state of things, with regard to religious sects, such as you find in Ireland. Take the case of Austria—a Catholic country. If I am not misinformed, there are parts of Austria in which the entire population of a parish are Protestants, and there, I believe, the Protestant clergy are provided at the expense of the State. In Bavaria the same rule exists, and in Belgium also. . . . In Prussia, a Protestant country, the same rule obtains . . . I say that in no country in the world will you find a population like that of Ireland. . . . . . That is a grievance of an enormous character; but it is a grievance which it is in the power of the Government to remedy, and for which, therefore, I hold that the Government are bound to provide a remedy." [3 *Hansard*, lxx. 1070-1.]

I do not wonder that an hon. Friend near me asks who said that. That speech was made by the noble Lord the Prime Minister, who now presides over this House and the destinies of this country. That was Lord Palmerston's opinion in 1843; and here is the opinion of the Home Secretary of to-day. They were all acting together—a most unanimous body; but then they sat there, opposite, not here, in office. In February 1844, Sir George Grey said—

> "It is impossible for any one who knows what the feelings of human nature are to suppose that the Irish people can look upon the present state of the ecclesiastical system in Ireland without the deepest dissatisfaction. It is not a mere question of money, it is one which concerns the feelings of a people. Among all the nations of Europe, we find that in Ireland alone there exists in that country an exclusive Church Establishment for the

Episcopalian minority. . . . On this subject I certainly entertain very strong feelings. . . . Nothing appears to me worse, nothing more hazardous than for Parliament to declare that they will not entertain the question as to the state of the Church in Ireland, because it involves, and must necessarily involve, considerations of a difficult and complicated nature. . . . The Union must be maintained, but a complete Union never could be effected so long as an established and endowed Church of the minority exclusively existed." [3 *Hansard,* lxxii. 841, 843.]

The Gentleman who used those glowing words is now Home Secretary, and, as such, is in intimate connection with Ireland. After those opinions, let us see what are the remedial measures proposed by these men for preserving the Union and redressing grievances. I have searched the records of Parliament, and I find a compulsory measure for the vaccination of infants. I find also another Bill, though its fate is still *in nubibus,* and that is the measure for the preservation of Irish salmon, and this exhausts the list of the Ministerial reforms for Ireland. Is this disgraceful state of things to be allowed, by what is called—I almost think in derision—the Liberal party, to continue?

In the outset I wish to be perfectly candid on this subject, and to declare that in any remarks which I may make, or in any proposition which I may hereafter make, I do not contemplate to destroy or upset the Irish Church. ["Hear, hear!"] Though I believe that no man in his senses, not even my right hon. Friend who gave me that cheer, would now contemplate to erect or endow such an Establishment; yet, at the same time, I do not think that it would be either prudent or politic to uproot that Establishment, which has been interwoven for 300 years with the civil policy and the property of Ireland. Therefore, I expressly state that I do not wish to uproot that Establishment or confiscate its funds; but if it can be shown that the working of the system as it is, is not only prejudicial to the interests of religion, but contrary to the true principles of Protestantism, and most mischievous in its tendencies, then I say we are necessarily bound to enter upon some plan for the reform and re-adaptation of the present monstrous Establishment. In discussing this question I wish altogether to keep apart the religious and political elements; and I will read to the House the actual view of the case embodied by Dr. Arnold in one of his lectures—

"In speaking of Christianity the word 'Church' is rather to be used as distinct from religion than as synonymous with it, and that it belongs in great part to another set of ideas, relating to things which we call political."

I mean to discuss the question in that sense alone; but, first, let me call the attention of the House to the nature of this Church, which in some people's minds has the character of being the United Church of England and Ireland. I shall attempt to prove, that so far from being united, the Churches are totally dissimilar in all respects. The Church of England has always been identified with the civil and religious liberties of the people of this country. It has struck deep root into the affections of the people, and the clergy of the Church of England in this country are as tolerant and as educated as any race of clergymen on the face of the globe. But what is the case with the Church of Ireland? Can any one say that the Protestant Establishment in Ireland is identified with the civil and religious liberties of the Irish people? We all know that the Established Church in Ireland was founded by Tudor violence, and perpetuated by Puritan tyranny. As a political institution the Church of Ireland is a blunder, and as a national religion it is a fraud, though, I am ready to admit, of a pious description. But the matter does not end here. Any person who is acquainted with Ireland, and has had the misery to listen to Irish sermons, must know that the great bulk of the clergy of Ireland are of a Puritanical and Calvinistic tendency. That is not the case with the clergy of the Church of England. The right hon. Gentleman who represents the University of Dublin, and who in that capacity speaks for the Establishment in Ireland, claims for the Irish branch of the English Church a higher title than is claimed for the Church of England itself. He speaks very much in the same spirit as that in which I could have imagined that a Churchman of the Tudor dynasty would have spoken. He not only objects to any discussion, but he deprecates all reform; and putting aside the lawyer for a time, and becoming a firm ecclesiastic, he would have the House believe that the Church of Ireland, so far from being created by Act of Parliament, is the sole depository of religious truth, and was the creation of St. Patrick himself. We have all heard the words of an old song, written by a countryman of the right hon. Member for the University of Dublin, "St. Patrick was a gentleman;" but it was left to the right hon. Gentleman to prove that St. Patrick was not only a gentleman, but a Protestant! The right hon. Gentleman, who has great admiration for Queen Elizabeth—and even goes so far as to think her virtuous—exclaimed, "Did not the Irish bishops of that day conform and assent to the Reformation?" But the right hon. Gentleman forgot to inform the House that those Irish bishops were Englishmen sent over to Ireland by Queen Elizabeth. They were English bishops of the Pale, and the Pale extended twenty miles from Dublin. Quitting this preposterous argument, which is more suited for a society of antiquarians than the House of Commons, I would ask, is it not notorious that the priests and congregations of Ireland of that day, so far from agreeing with the bishops, refused to abandon their creed at the expense of their convictions? Is not that the case, according to every historian who has written on the subject. I was sorry to hear the right hon. Gentleman sneer at one of the most learned authorities in the country, Mr. Goldwin Smith; but he might have remembered that the Earl of Derby, who made him Attorney General for Ireland, also appointed Mr. Goldwin Smith as Professor of Modern History at Oxford. However, I will not quote Mr. Goldwin Smith, but I will give the right hon. Gentleman two historians of his own kidney. What does Plowden say on this subject? Plowden, speaking of the Elizabethan era in Ireland, says—

> "The people were provoked by the violence offered to their religious prejudices. . . The clergy, who refused to conform, abandoned their cures; no reformed ministers could be found to fill their places. The churches fell to ruin, the people were left without any religious worship, and the statutes lately made were evaded or neglected with impunity."

Here is another historian, whom the right hon. Gentleman will reverence very much, the old Recorder of Kinsale, Cox. [An hon. MEMBER: Cox?] Yes; but no relation of the hon. Member for Finsbury. Cox, the Recorder of Kinsale, who wrote in the time of William and Mary, said—

> "As for religion, there was but small appearance of it—the churches uncovered and the clergy scattered, scarce the being of a God known to those ignorant and barbarous people."

So much for that period which the right hon. Gentleman greatly eulogized; and I deny that he represents the opinions of the Irish Protestant clergy on this subject. That clergy is not opposed to the discussion of matters connected with the Irish Church, and to the reform of that Church. I hold in my hand a letter addressed to the right hon. James Whiteside by the Archdeacon of Meath, and what does he say? The Archdeacon of Meath, who has even the confidence of my hon. Friend the Member for Sheffield, has stated that the clergy of Ireland are anxious to see abuses reformed, and that they are even ready to undertake the work themselves. On that point, therefore, the archdeacon, a man of great ability and high standing, is directly at issue with the right hon. Gentleman the Member for Dublin University.

But be that as it may, I come to another argument of the right hon. Gentleman. He tells us we are all under a delusion in imagining that the Irish Church is a wealthy institution; because it is, on the contrary, a poor one. If all its revenues were justly divided, of which I must say I do not think there is much chance, they would only give £200 a year to each clergyman. Is that a fitting provision, the right hon. Gentleman asks, for an educated gentleman? Well, Sir, in all these matters ecclesiastical as well as civil, the question is the same. Do these men earn their £200 a year? Have they duties which require a salary of £200 a year? £200 a year may be a poor pittance for a gentleman; but if a gentleman cannot earn £200 a year of public money, he ought not to be in possession of it. Let us see, then, how these duties are performed, and what claim a great portion of these clergy have to any salary at all? I will come to the Census of 1861. Let us see what was the condition of the Church of Ireland at the time of this census. The population of Ireland at that date was 5,764,543 of all creeds. Of these, the Roman Catholics were 4,490,583, being some thousands more in number than the population of the Grand Duchy of Warsaw, of which we have heard so much lately. The Established Church amounted—not to 691,872 as erroneously given in the Returns of his hon. Friend—and this was material—but to 678,661; whilst the Presbyterians amounted to some 528,992. For all this, for a great majority of these Roman Catholics there is no State religion, no provision is made for their clergy. The State hardly recognises them, except by the trumpery grant for Maynooth, which is voted grudgingly, and not without much abuse from some hon. Members of this House. There is also a small grant called the *Regium Donum* to the Presbyterians. For the Established Episcopal Church, however, a large spiritual staff is maintained, including, besides deans and chapters, two archbishops and ten bishops, whose net united incomes amount to something under £80,000 a year. Comparing Ireland with England, we find that there are seven English dioceses, each of which has a much larger population than the whole of the Episcopalians in Ireland. These dioceses are London, Winchester, Chester, Exeter, Lichfield, Manchester, and Ripon, each of which is presided over by one bishop, while no less than twelve bishops are required for the 678,000 of Episcopalians in Ireland. Therefore, it appears that one bishop in this country does the work of twelve in Ireland. Is the House content that that state of things should go on, and that the right hon. Gentleman the Member for Dublin University should be successful in setting himself tooth and nail against all reform? In England there is one bishop to 410 benefices, comprising congregations of 1,500,000 souls. In Ireland there is one bishop to 118 benefices, comprising congregations of 5,000 souls. A small parish in England with a population of 5,000 is looked after by a rector, and probably a couple of curates. In Ireland 5,000 people make a diocese with a bishop, receiving about £5,000 a year, and a dean and chapter. The united diocese of Kilfenora and Kilmacduagh, in which there are about 686 Protestants, have a bishop and the usual staff, and the bishop actually receives £4,000 a year for looking after those 686 people. In the dioceses of Waterford and Lismore, with which I am intimately acquainted, there is a population of 134,336, of whom 5,000 belong to the Established Church. The bishop receives £5,000, and he has two deans and chapters, two cathedrals, two archdeacons, and sixty parochial clergy. Attached to Waterford and Lismore are Cashel and Emley, in the South Riding of Tipperary, with a population of 139,030, of whom 4,900 are Protestants; and there are two more deans, two more archdeacons, and another staff of clergy there. Between these united dioceses there are about 110 parochial clergymen. Is there any other country on the face of the earth where you can show a similar state of things? Dr. Paris, in a well-known work, has observed that the original type of the cabbage and the cauliflower are not to be found in animated nature. Sir, I think I may almost go further, and say that the original type of an Irish bishop is not to be found in the pages of the New Testament. In 1850 there appeared an advertisement in the *Dublin Evening Packet*, which is or was a highly Conservative paper, concerning the sale of a bishop's effects, which showed how comfortably the good man had lived. The announcement is of a peremptory and unreserved sale at the Palace Clogher, and it sets forth that "the wines, of which there were about 100 dozen, principally consist of very superior maderia, claret, old port, champagne, &c. There is an enormous stock of cattle, and a herd of about 200 fallow deer." The bishop had under 5,000 souls in his diocese, which has since been united to Armagh, but he died full of wealth and worldly honours. Such an advertisement as that of itself impugns the existence of the Irish Church. To make it more striking, it appeared during the famine year, and the luxury of which it spoke offered a strong contrast to the prevailing misery and destitution of the people.

I may be asked what I would recommend as a remedy for this state of things. In my opinion, it would be no great stretch of the authority of the House if it were to extend the provisions of the Act which was brought in by Earl Derby when Lord Stanley. What is Archdeacon Stopford's opinion of that Act? Writing to the right hon. Gentleman (Mr. Whiteside), the Archdeacon said, "Allow me to call your attention to the fact, that when a measure is proposed, people cry out that is a destruction of principle; but when it is passed, they always say the principle remains untouched." No Tory of the present day probably will say that the British constitution is ruined by the passing of the Reform Bill. The Archdeacon of Meath says that the Irish Church Temporalities Bill has been of the greatest value. In his opinion, it has been the salvation of the Church of Ireland, and he suggests the completion of the arrangement, which it established, in certain respects where it is defective. By that Act the number of Irish bishops was reduced from twenty-two to twelve, the income of the Archbishop of Armagh from £14,500 to £10,000, the income of the Bishop of Derry from £12,000 to £8,000 and all the other bishops were not to have less than £4,000 per annum. Vestry cess and first-fruits were abolished, leases of bishops' lands were converted into perpetuities, a tax was put upon livings, and the money arising from these sources was placed at the disposal of a Board of Commissioners to be applied to the augmentation of small benefices, the building of churches and glebe-houses, and other purely ecclesiastical objects. What I would urge on the Chief Secretary, who at heart is a good Church reformer, whatever he may say to the contrary, is to reduce the number and incomes of the Irish bishops. Surely there can be no necessity, in the present condition of Ireland, for keeping up twelve bishops where six might do the work, and still less can there be any necessity for these bishops receiving the enormous salaries they do. Why should these bishops, with only 5,000 people in their dioceses, get from £4,000 to £6,000 a year? A Judge receives only £3,000, and yet he has something to do for his money; whereas an Irish bishop has very little to do. Let the bishops have £1,500 apiece. [*A laugh.*] Hon. Gentlemen laugh, and I suppose their idea of a bishop is a man who rides in a carriage with patent springs, who gives good dinners, and has a large income. But my proposal is not new; it was made years ago by one of the best friends of the Church who ever sat within the walls of this House, one whose opinion is not to be laughed at. The present Vice Chancellor Wood told the House in 1849 that he did not think it necessary for a bishop to have £4,000 a year, and he suggested that the Irish bishops should have £1,500 each; adding that he would go lower than that if necessary. Such was the opinion of Sir Page Wood, and I think it was founded on good sense and good policy. I urge my right hon. Friend the Chief Secretary, at least, to consider whether the state of the Irish Church, as regards its bishops, is satisfactory—whether it would not be just to the Church itself to reduce the number of bishops from twelve to six, and to cut their incomes down at any rate one-half. The measure may be a strong one, but I believe it to be necessary, and that if you do not do that in time, you will see the whole bench of bishops swept away in Ireland. So much for the state of the Irish bishops!

I now come to the condition of the parochial clergy. No man acquainted with Ireland can say that the state of the clergy is satisfactory. No doubt there are many distinguished and exemplary men among that clergy, but there are also many of the most inferior description, both as regards learning and manners. You cannot be surprised at it. How are they ordained? Clergymen in Ireland are ordained by the bishops in numerous instances without any University education at all. I know, at all events, that the Bishop of Cashel requires no University education, and he has ordained in my diocese many most objectionable men, whose only claim was that they had spouted abuse of Roman Catholicism at Exeter Hall. The senior divinity class in the University of Dublin is rapidly falling off. Where there were a hundred students there are not now fifty, and you have great difficulty in getting men to enter into the Irish Church. Lord Westbury has lately brought forward in another place a Bill for the augmentation of benefices in England, and his principal reason for it was the impossibility of getting men to enter the English Church. That difficulty is twice as great in Ireland, and why? A cure of souls in England is given with reference to the number of parishioners existing in the parish; but in Ireland a cure of souls depends upon extent of territory. There may not be ten Protestants in a parish, but the cure is given for a great acreage. The Archdeacon of Meath says, in his pamphlet on Church reform, that the position of ordained and settled ministers where they have no opportunity for the exercise of their ministry, as is the case in many places in Ireland, is an "anomaly," and the subject which requires to be dealt with first in legislating for the Church of Ireland. He says—

> "That to ordain ministers and settle them in a place where they have no opportunity for the exercise of their ministry—no books, no means of study—no society suited to cultivated minds, or to exercise the faculties of scholars or ministers, was an evil to the ministers themselves and to their Church."

He also says—

> "That on looking to the position of many of the ministers, he cannot vindicate it on moral, religious, or ecclesiastical grounds, or even on the low ground of political expediency."

That is the deliberate opinion of a distinguished Churchman, and I think this House will concur in it.

But to proceed—in England there is one clergyman to every 2,612 people, whereas in Ireland there is one clergyman to every 325 persons. A clergyman of my own acquaintance—an Englishman, who was anxious to be active in the cure of souls—on obtaining a living some time ago was surprised to find that his congregation consisted of five individuals, for whom he received £500 a year; but he was consoled by a relative, who remarked to him, "Well, you know, there is one great convenience in it—when you pay me a visit, you can not only come yourself, but you can bring your congregation along with you." I have said that there are some bishops with £6,000 a year. On that point I can give some information from a book which was cited by the right hon. Member for Dublin University. It is the *Irish Church Directory* for 1863, and it contains a good deal of curious and interesting statistics. It gives not only the means of the bishops, but their Church accommodation. It does not, however, supply any information as to the numbers who attend the protestant worship, but I shall be able to give some information on that point. First of all, I will commence with the diocese of Meath. That diocese is in a peculiar state. There is neither chapter nor cathedral there; but the bishop has £4,308 a year. By the bye, Archdeacon Stopord is in that diocese. The population of Meath is 110,609, of whom 103,489 are Roman Catholics, and the members of the Established Church 6,584. The facts relating to the church accommodation there are excessively curious. I am not so much surprised at the Archdeacon of Meath writing these letters, and calling for Church reform in Ireland; for the first thing that I find is that he has the living of Kells, the value of which is £1,151 a year; that the population of the town is 3,225; that the number of Protestants there is 31; and that there are sittings in the church for 500 persons. In the town of Navan the value of the living is £566 per annum, the church accommodation is for 290 persons, and the number of Protestants who attend is only 154. In Trim the living is £559 a year, there is church accommodation for 300 Protestants, but there are only 230 in the parish. In the diocese of Limerick there is the parish of Castle Island, with a living worth £531, and sittings for 20 people. In Killarney the living is £534 a year, the number of Protestants is 120, and there are sittings in the church for 300. Newcastle living is worth £717, the sittings are 350, and the attendants 90. I now come to the diocese of Cashel, of which I can speak from my own knowledge. There are 145 benefices there, and the gross value of the see is £5,334, the net value being £4,691. In the city of Waterford the Roman Catholics number 20,465, and the Protestants 1,900. In the county of Waterford the Protestants are 3,265 and the Roman Catholics 107,354. At Dungarvan the Protestants are 124, and the Roman Catholics 5,743; and the income is worth £487, while the church-room is for 300. At Cahir, diocese of Lismore, the members of the Established Church are 93, and the Roman Catholics 2,953; while the church-room is for 130, and the income is £321. At Carrick-on-Suir the Protestants are 140, and the Roman Catholics 4,831; the income being £436, and church sittings 300. In the church of Killaloan there are 150 sittings, and the number of Protestant families in the parish, besides the clerk, amounts to eight. In Kilcash there are no duties attached to the living, which has been given by the bishop to a gentleman who never comes near the place. In my own proper parish Kilshelan the income is £150. The rector resides in Wexford, and I have never seen him. I am told that I need not pay him his tithe rent charge unless he has had leave from his bishop to live at a distance; and I cannot think that so excellent a man as the Bishop of Cashel would give his permission to a clergyman to reside away from so remarkably Protestant a district. At Kilronan there is church accommodation for thirty Protestants, and the services are attended by three policemen, who are migratory in their habits, the wood-ranger, and the housekeeper employed by Lord Stradbroke, and the clergyman's own family, which is rather large, consisting of ten members. In Lisronagh, very near which I myself reside, the living is worth £206; the number of sittings is 100, and one policeman attends the church! Still, proceeding with the diocese of Waterford and Lismore, I find that at Mora, the living of which was lately given to a gentleman who resides thirty miles off, the income is £195, and there are no Protestants at all in that parish. At Mothel, again, the income is £535, the church-room is for forty, and the number of Protestants is seven. Go to the diocese of Ossory, Ferns, and Leighlin. The gross income of the see is £4,605, there are 70 benefices and 37 curates, and two of the richest livings in Irelands exist there. In one case the income of the clergyman is £1,845, while there are but 88 Protestants, with sittings for 160. In Powerstown the salary is £359; there are sittings for 100, but there are only two Protestants besides the clerk, and one of these has been bedridden all his life. At Kilbeacon the income is £214; there are 100 sittings, and only one Protestant family and three policemen attend the church. I might go on indefinitely with these details were I not afraid of wearying the House. But let me refer for a moment to Connaught. There the population is 911,339, and the members of the Established Church only 40,605, or only 4 per cent of the whole. In the diocese of Tuam, Killala, and Achonry, the value of the bishopric is £5,080 per annum. At Athenry the living is worth £800; there is church-room for 300 persons, and the attendance, I am told, is very poor indeed. At Ballinrobe the value of the living is £410, the number of Protestants 121, and the sittings are for 400. At Castlebar there are 202 Protestants, with accommodation for 400, and the income is worth £614. At Headford the living is worth £830, and there is church-room for 200. At Westport there are 211 Protestants, and church-room for 900, the living being valued at £661. At Tuam, the seat of the bishopric, there are 257 Protestants, and church accommodation for 450, the value of the living being £623. All these are very large livings, of £400, £600, or £800 a year; but the congregations are extremely small, the number of Protestants in no case amounting to more than about one-tenth of those for whom church accommodation exists. Then, take the diocese of Killaloe. In the town of Killaloe itself the Protestants number 184, and there are sittings for 250. A friend of mine visited the cathedral the other evening, and found public worship so thinly attended that service was being performed in the vestry to fifteen persons. At Kilrush the Protestants number 222, and the sittings are for 500. At Loughrea there are sittings for 200, but there are only 89 Protestants, and the value of the living is £444. I think I have adduced enough from the *Irish Church Directory*, which the right hon. Member for Dublin University pointed out to me as a book to be relied upon, to prove that the Protestant clergy of Ireland have scarcely any congregations, that their own number almost exceeds the number of their flocks, and that they ought to be dealt with as I propose to deal with the bishops, giving them some duties to perform as well as salaries to receive. But does the evil end here? My right hon. Friend the Chief Secretary for Ireland lately appointed an excellent man to Cork—I mean Dr. Gregg. That I think was my right hon. Friend's own peculiar appointment, and I believe the only difference he has had with the Earl of Carlisle arose out of that appointment. In Mallow, agreeable, nice Mallow, there reside—

> "Rev. A. Baldwin, vicar of Rahan; Rev. J. Coghlan, rector of Mourne Abbey, salary of £427, church-room for 90; Rev. W. Johnson, rector of Clenore, salary £596, church-room for 80 (he resides away from them); Rev. H. Ormsby, vicar of Carrigamleary, salary £99, no church; Rev. A. Todd, vicar of Clonmeen. In Midleton there are 186 Protestants, 3,155 Roman Catholics, income of rector £708, no church. Rev. S. Halloran, vicar of Clonmult, salary £175, sittings for 20. Rev. J. L. Robinson, rector of Templenacarrigan, salary £394, sittings for 80. Rev. W. Williamson, rector of Lisgoold, salary £760, sittings for 70. Rev. J. A. Bolster, rector of the hardest name in Ireland, Killaspugmullane, with a salary of £522, and sittings for 450; he resides at Glanmire, some miles off. Rev. R. St. Laurence, rector of Murragh, salary £547, sittings for 150; he resides at Brussels."

This is the picture of the non-residence in the diocese of Cork. I might multiply instances of non-residence, but I want to know whether the laity are bound to pay their rent-charge if the clergymen do not reside. I hope my right hon. Friend (Sir R. Peel) will give a distinct answer to that question. Such, then, is the picture presented by this book, in nothing hostile to the Church, for it is recommended by the right hon. Gentleman. I have taken my facts from that book, and I lay them before the House. The book sums up in this way—

> "The church forms 20 per cent of the inhabitants of Ulster—the largest percentage in Ireland —12 per cent in Leinster, 5 per cent in Munster, and 4 per cent in Connaught."

And it concludes in these terms—

> "In conclusion it may be observed, that the position of the Church in Ireland in respect of numbers and distribution, as disclosed by the Census of 1861, cannot be regarded as otherwise than satisfactory."

Such is the book recommended by the right hon. Gentleman.

Now then, Sir, I would press on my right hon. Friend to consider, whether, as a great proportion of these livings with very large revenues in Ireland have very small congregations, it would not be possible to transfer the revenues of large livings without flocks to the town districts where there are flocks and very small emoluments. For example, there is the living of Louth, in the diocese of Armagh; it has an income of £1,638, church-room for 250, and I do not think thirty people attend. [An hon. MEMBER: Not quite twenty.] I have been there when the attendance was not quite ten. Belfast has 30,000 Episcopalians, and but one vicarage of £400 a year. Why should these twenty Protestants of Louth "crying in the wilderness" have this large revenue of £1,638, while 30.000 in Belfast have only one vicar of £400 a year? Really we ought to insist on taking this matter out of the hands of the Government, and send them to the other side of the House, in order that they may agitate this question. In fact, it comes to this—the parochial system in Ireland is merely nominal. It does not exist, and we should substitute for it the congregational system. The territorial system is the natural one where the great populations of the country belong to the Church; but in the circumstances of Ireland, where the great populations do not belong to the Established Church, the congregational is the right, proper, and fitting system. Am I saying anything not supported by names of high authority? In 1837 a Bill was brought into the House, with the approbation of Archbishop Wheatley, to make the system congregational instead of territorial. And what said Members of the present Government in regard to that Bill? Here is the opinion of Lord John Russell—I am sure he is of just the same opinion now; and if he were at the head of a Ministry, he would no doubt again agitate this question. But Earl Russell is now in an unfortunate position. On February 13, 1844, Lord John Russell said—

> "I concur in the plan propounded, as it is said, by Dr. Wheatley, the Archbishop of Dublin, for making it a Church of congregations, and not of parishes, as it is under the present system. . . . The Protestant Church ought to be fully provided for, but at the same time I do not believe that anything like the amount at present allotted to it is necessary." [3 *Hansard*, lxxii. 720.]

There is another most important opinion, it is that of one on whose accents this House always hung, and whose judgment it always respected—I mean Sir George Lewis. He wrote considerably on the Irish Church, and gave most important evidence in regard to it. Here is his opinion on the Irish Church question—

> "So long as the penal laws were in force, and Government held that every Irishman ought to be a Protestant, it was quite consistent to maintain a Protestant Establishment, which should be sufficient for the wants of the entire population; but now that principle is abandoned, there can be no excuse for not reducing the State provision for the Protestants to a level with their actual, not their possible, numbers. . . . The number of clergy required for 852,000 Episcopalians might be considerably reduced if a congregational instead of a territorial system were adopted, and if as many persons were assigned to each minister as could conveniently attend the church at which he would officiate. . . . When the number of clergy had been thus reduced, there would be no necessity for keeping up the Episcopal Establishment of two archbishops and ten bishops; probably four bishops, one for each province, would be an ample provision for the government of such a Church."

I ask for six, but he says four bishops would be enough for the sustentation of the Irish Church. But, it may be said, "These are the opinions of Lord Russell; we are not followers of Lord Russell." Well, but my right hon. Friend is a follower of the noble Lord, whose opinion I am going to quote, as expressed on the 12th of July 1843—

> "I would ask the Government, are there not parishes in Ireland in which there are not twenty Protestant parishioners—are there not parishes in Ireland in which there are not fifteen Protestant parishioners—in which there are not ten—in which there are not five—nay, in which there is not one Protestant parishioner? If there are such, then I say that nothing would be more just, nothing more fair, than that, after the expiration of existing interests, the revenues of those parishes should be suspended, and applied to other purposes connected with the general interests of the mass of the people in Ireland." [3 *Hansard*, lxx. 1068.]

This is the opinion of Viscount Palmerston, speaking, it is true, in opposition; but, no doubt, if properly supported by my right hon. Friend, he would be ready to act on the sentiments he so eloquently expressed in 1843.

But it has been said that the Irish Establishment, though with large church accommodation and few attendants, is a missionary Church. Let us see how far that is so. And here, I must say, the popular delusion has been fostered by men of high authority and great mark in this country. The Irish Church Mission Societies have been in existence since 1852. They have spent upwards of £30,000, and they claim to have made 30,000 converts; but the effect has been to deceive the public mind. A monstrous deception has been and is practised on the old ladies of this country who have more money than wit, with regard to these Missionary Societies. Here is an extract from a sermon by the Rev. Dr. Christopher Wordsworth, preached in Westminster Abbey on the 29th of August 1852. Now, I must say that Dr. Wordsworth is, in some measure, open to reprobation, inasmuch as he has been the innocent means of deceiving my right hon. Friend the Secretary of Ireland.

But, be that as it may, Dr. Wordsworth says—

"We refer with thankfulness to the fact, that within the last few years thousands and tens of thousands in Ireland have renounced the errors of Romanism. A work is now going on unequalled in importance since the 16th century. The number of converts within the last two years is stated as 30,000, in page 40 of the Report for the present year of the Society for Irish Church Missions."

Thus, Dr. Wordsworth gives it out from the pulpit that there is a work going on in Ireland in the way of reformation, which is unexampled since the 16th century, and computes the number of converts made at 30,000. Now, I hold in my hands *Good News from Ireland*, and I find that this society, called "The West Connaught Society," is only two years old. It appears, nevertheless, to have been very active in getting together a good deal of money, although I do not perceive that it is in reality much weighted with converts. The society, at all events, held a meeting recently at—if I mistake not—the Hanover Square Rooms. My right hon. Friend the Secretary for Ireland will be able to correct me if I am wrong. Mind, I find no fault with him for going there, because I know he is a man of strong Protestant feeling. No one, at any rate, has a right to complain of his attendance at the meeting, because we learn from *Good News from Ireland* that the noble Lord at the head of the Government, from whom he received his appointment, and who made such fine speeches when in Opposition, now subscribes £20 a year to the West Connaught Society. The right hon. Gentleman, no doubt, attended the meeting, having been taken in by the sermon of Dr. Wordsworth. [Sir Robert Peel: I never read it.] Yes, but he told us he read *Good News from Ireland*, and it is to be found in that. But, however, the right hon. Gentleman stated that an immensity of good was done by those missionary agents, and that declaration is so far important that it goes down to Tamworth with his *Imprimatur*, and may help to aid the funds of the society, as holding it up as a great missionary success. He added that since 1847 there had been a large increase in the church accommodation in Ireland—I let you into the secret of that accommodation—and that the Irish was a true missionary Church. Well, it is certain that Dr. Wordsworth tells you that there are 30,000 converts as the result of its labours, and these it appears have been made chiefly in Galway. Now, the population of the county of Galway is, I believe—my hon. Friend the Member for Galway will correct me if I am wrong—254,256; out of that number there are, I find, 7,500 members of the Established Church. Well, then, what becomes of those 30,000 converts? Are they included in the 7,500? I can nowhere discover them, and yet this is the success of which Dr. Wordsworth and my right hon. Friend talk so loudly. Now, if anybody, after what I have said, gives assistance to the West Connaught Society, that person must, I think, be held to be bereft alike of intellect and judgment.

Let me institute a comparison which was made by the right hon. and learned Gentleman the Member for the University of Dublin for a different purpose, when he read a quotation to show that of the Roman Catholic emigrants who went to America the greater portion had become Protestants. Where, let me ask, was the missionary Church in that case; and if this be true, of what further argument in favour of the reform which I advocate do I stand in need? If you wish to convert the people of Ireland to Protestantism, it is clear that you had better do away with this missionary Church. Then you will stand some chance of having more than 30,000 nominal converts. I think the House will not be slow to draw from the fact to which the right hon. and learned Gentleman called our attention an inference unfavourable to the conclusion at which he wished us to arrive.

But, says the right hon. Gentleman—I am anxious not to pass over any of the arguments which he advanced—"Laying aside altogether the circumstance of its being the depository of religious truth, the fifth article of the Union forbids you to meddle with the Established Church in Ireland;" as if it were not meddled with by the Earl of Derby on the occasion to which I have already referred. But the right hon. Gentleman is entitled to his opinion on the point, and I will now give him the opinion of a man who is his equal, whether as an orator or a lawyer. What was the opinion of Lord Plunkett, a steadfast supporter of the Established Church, and opposed to any scheme of abolition? These were his words—

"He had heard a great deal of vehement declamation and energetic denunciation, but not a single argument to show that this [that is, the partial appropriation of Irish Church property to educational purposes] would be in the slightest degree a violation of the principles of Protestantism, or of the Act of Union. By the Act of Union the Churches of England and Ireland were consoli-

> dated. By the fifth article of that Act they were identified in doctrine, worship, and discipline; but was there anything in that article which identified the temporal possessions of the Church of Ireland with those of the Church of England? There was nothing of the kind. The Irish temporalities were altogether distinct from those of the Church of England. If they were not so, they had been violating the articles of Union ever since they were passed. The whole system of composition of tithes in Ireland was a violation of these articles. But, when they looked to the temporal possessions of the Church of Ireland, they were not to throw out of their consideration that Ireland was a nation of Roman Catholics, and that they were bound to apply the same principles with regard to the temporal concerns of that nation which they considered themselves justified in applying to the interests of this great Protestant country."

That is the opinion of Lord Plunkett, but I have likewise the opinion of the estimable and illustrious father of my right hon. Friend the Chief Secretary for Ireland on this article of the Act of Union, which is now, as always, thrown in our faces in such discussions as the present. The late Sir Robert Peel, in 1844, said—

> "It may be asked, are compact and authority to be conclusive and decisive? If we are now ourselves convinced that the social welfare of Ireland requires an alteration of the law, and a departure from that compact, and a disregard of that authority, are our legislative functions to be so bound up that they must maintain the compact in spite of our conviction? I, for one, am not prepared to contend for such a proposition." [3 *Hansard*, lxxiii. 244.]

Having given you the opinions of Lord Plunkett and of that Sir Robert Peel, who did not attend meetings of the West Connaught Society, I will now give you that of another noble Lord, because I am anxious to be fortified by the views of those who are the great friends and bulwarks of Protestantism. This is the opinion of Viscount Palmerston when in Opposition in 1856—

> "I do not, however, go so far as those who would argue that that article prevents you from dealing with the Irish Church. . . . Parliament is competent to deal either with the Church of England or the Church of Ireland according to varying circumstances." [3 *Hansard*, clxii. 767.]

Varying circumstances very much depend, no doubt, on the side of the House on which a man happens to sit. He adds—

> "Undoubtedly, the property of the Church belongs to the State, and the State, represented by its proper organ, the Legislature, has the power and the right of dealing with that property as the circumstances of the time may require." [3 *Hansard*, clxii. 768.]

After the extracts which I have read I need, I think, delay the House no longer with any arguments about this fifth article. If the Reform for which I contend be necessary, the fifth article cannot be allowed to interfere. But, suppose it were held to do so effectually, what better handle can you give to those who advocate a repeal of the Union than by saying, that as matters stand, it prevents justice being done in this respect to the people of Ireland?

I have entered at great length into this subject, and I thank the House sincerely for the attention with which they have listened to me; but I wish to say a few words before I sit down with respect to the Ecclesiastical Commissioners, who have the management of the Church property in Ireland. That Commission was instituted in 1833, and consists of the Archbishop of Dublin, the Chief Justice being a Protestant, the Lord Chancellor, and "three other proper and discreet persons." I find that there is under its control 132,701 acres of land, which the Commissioners describe as profitable. It produces, however, under their management, only £42,770, which is, I contend, a sum totally inadequate. The Commissioners, I may add, spent one million sterling in the last thirteen years for the repairs and building of churches—and what is the cause, I would ask, that while the churches are most excellent, and their numbers on the increase, their congregations are growing "small by degrees and beautifully less?" What have the Ecclesiatical Commissioners done in my own neighbourhood? There was a very commodious church in the town of Clonmel, and a considerable Protestant population. The Ecclesiastical Commissioners were asked to improve and enlarge this church. They expended £4,000, and now the church is finished they discover that it holds 200 less people than before, and they are actually about to lay out £800 to enlarge the church which they have reduced in size at the expense of £4,000. That is a fair specimen of the management of the Ecclesiastical Commissioners. What is the expense of this Commission? The only three persons who receive salaries are the three proper and discreet men. The expenses of the Board are very large indeed. There is no church rate in Ireland, and everything is found for the country gentlemen for nothing out of the funds of the suppressed sees. The requisites for Divine service cost £7.438. The clerks and sextons for these 600,000 Protestants, cost £23,529. Yet, I have seen cobwebs in the fonts, no parochial duty whatever, marriages at a stand-still for want of people, and funerals likewise. In many instances the sextons are women. In my own church the sexton was a woman, and a Roman Catholic, because they cannot get a Protestant. Organists, organ-blowers, and tuners for the 600,000 Protestants, £1,020; fuel for the churches, £3,540; ceremonials alone, £36,118 a year. [Sir GEORGE BOWYER: What ceremonials?] The organ-blowing, clerks, and sextons. The salaries of the three proper and discreet Commissioners are £6,097 12*s.* 8*d.* a year. They lately paid to solicitors, £2,365; rent and coals, £998 a year. They have done an extraordinary thing lately, and I call for an explanation of it. A vacancy occurred in the deanery of Ardagh, which has no cure of souls. In their Report, dated April 10, 1862, the Commissioners say—

> "The Commissioners being apprised of a vacancy in the deanery of Ardagh, appointed a day to consider the propriety of recommending the Lord Lieutenant to suspend the appointment. This intention was not able to be carried out, for they learnt that your Excellency had filled up the vacancy."

Looking with some confidence to the right hon. Baronet to keep the Lord Lieutenant in order, I want to know how he accounts for the Lord Lieutenant having, in the teeth of an Act of Parliament and in the teeth of the Report, filled up the deanery of Ardagh without any cure of souls? And I hope he will give me an answer. So much for the Ecclesiastical Commissioners, and so much for the Ecclesiastical Commission!

I cannot think that this debate will be altogether unprofitable. However liberal you may be to volunteer suggestions and reforms to foreign States, I think you will be of opinion that some time ought to be given to domestic policy. It is very true that, with the Treasury Bench, "'tis distance lends enchantment to the view." But while they are endeavouring with such assiduity to pull the beam from the eye of his Holiness the Pope, I think they might find sufficient time to remove the Irish mote from their own vision. This I know, that a noble Lord in another place has lately kindly offered a palace and an asylum to his Holiness at Malta. I think it may be suggested to the noble Lord, that if the people of Ireland were consulted, they would not object to see the Protestant primate of the Irish Church removed to a smaller mansion, and a more circumscribed income. I know that where the Pope is concerned the people of England are apt to lose their reasoning powers. At the same time, there is a strong analogy between the position of the Pope and the situation of the Prime Minister. Both the Minister of England and the Pope of Rome have been heads of the liberal party in their respective countries. Both, at one time, have been ardent Reformers. Both have produced Reform Bills, and both have abandoned them. The Pope is supported at Rome by French soldiers. The Prime Minister of England is kept upon the Treasury Bench by Conservative votes. Both are inclined at present to do little or nothing. *Non possumus* is as much the motto of the Pope of Rome as of the Minister in Downing Street. I regret that Her Majesty's Ministers do not sometimes look at home "and see ourselves as others see us." If they did so, they would see four and a half millions of Roman Catholics in Ireland who would gladly accept some of the six points which are offered for four millions of Roman Catholics in Warsaw. I think they would not object to see men who have the confidence of the Irish people sitting in the noble Lord's Cabinet. The noble Lord can recommend to the Czar in suggestive lectures that there should be nothing but Poles having the confidence of Poles in the administration of Poland, but he sedulously excludes every man who is an Irishman and enjoys the confidence of Irishmen from filling a public office in Ireland. It is because I am not content to masquerade as a reformer in a foreign country, and act as an obstructive at home, that I, for one, who prefer contentment in Ireland to unity in Italy, am opposed to these projects of the noble Lord; and I think that if the Liberal party pretend to have any claim to the name, they will not be content for ever to rest in their present torpid state, but will unite upon this question, and insist upon the measure which I have so inefficiently and so lengthily advocated.

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the present Ecclesiastical Settlement of Ireland,"—(*Mr. Osborne,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. CARDWELL: I will not aspire to continue the animated and amusing tone which has pervaded the speech of my hon. Friend; but I trust the House will be willing to listen to a few practical and serious remarks upon a subject of great importance to the welfare of Ireland and to the interests involved in the ecclesiastical settlement of Ireland. My hon. Friend, who has made the Motion with his accustomed ability, began with very large propositions, but narrowed his argument as he went on, till at last it seemed to me directed rather to a reform of the Church than to the question which really engages our attention. But with regard to the proposal the hon. Gentleman makes, he has pursued exactly the contrary course. He began with a narrow one, and he has ended with a very broad one. On the 19th of May he gave notice of a Motion which was limited to a Committee to consider how far it may be expedient to carry out further reductions in the Establishment in Ireland on the principles of the Act of William IV.; but in the Motion he now makes he invites us to appoint a Committee to consider the general question of the ecclesiastical settlement of Ireland. We all know what is meant by a proposal to consider the ecclesiastical settlement of Ireland. It is not to consider whether three gentlemen sitting in Dublin as Ecclesiastical Commissioners shall have a larger or a smaller salary; nor whether the Act of 1833 shall be carried further in its spirit and provisions; but it is to re-open that great question of Irish and British politics which agitated Parliament, governed parties, and disorganized Ireland before the hon. Gentleman and I had seats in this House. The course which the Government intends to take is to ask the House to resist this Motion, and proceed with the ordinary business of the evening. My hon. Friend began his speech by an eloquent reply to an eloquent speech made in this House on a former occasion. It is not necessary for me, in the course which I have to recommend to the House, to uphold the arrangements of the Church of Ireland as they now exist; it is not necessary for me to contend, that because it is ancient, therefore it cannot be changed; or because it is English, therefore it is to be maintained; or because the Act of Union contains stipulations with regard to the Church, therefore it is not within our province or power to re-consider those provisions. Neither is it necessary for me to contend, that because we have confidence in the truth of the principles of our Church, we should therefore impose it on a people who do not choose to receive it. The argument which I shall venture to lay before the House is of a practical character, founded on the state in which we find this question, and on the state in which we should leave it by acceding to the Motion of my hon. Friend. I am not without high authority when I say that we ought not to disturb a question of this sort, touching the foundation of the moral, social, and political interests of the people, without grave cause, and without a well-founded hope of bringing it to a safe and satisfactory conclusion. My hon. Friend himself told us that the Church of Ireland was founded by Tudor violence—that politically it was a blunder, and ecclesiastically a fraud; but, if he so thinks, what is the conclusion we should naturally expect from such premises? I was astounded to hear him say in his next sentence that he would not uproot a system which had existed for three centuries, which had been intimately connected with all the deepest social and political interests of Ireland. He will excuse me if I also have my own opinion with regard to the original establishment of a Protestant Church among a Roman Catholic people, and who have never denounced it in such language. [Mr. BERNAL OSBORNE: It was a quotation.] Yes, but a quotation endorsed by the hon. Gentleman. He will excuse me, I say, if I point out that it is a very different thing to overturn an institution when you find it firmly established, and that it is a very serious matter, for those who are responsible as the Members of this House are for the good government and the well-being of the country, to appoint a Committee to unsettle a question without a prospect of bringing it to a safe and satisfactory conclusion. My hon. Friend has quoted from speeches made by high authorities in former times, strong speeches in favour of Motions stronger than his own. But if the statesmen whom he has quoted, and the great parties by whom they were supported, were unable to accomplish their object, what does he suppose would be the result of the appointment of a Committee selected equally, or nearly equally, from both sides to consider this question? This is not merely a matter of argument, we have experience upon it. In 1833, when this question was brought forward by one of the most powerful Governments we ever had, before the flood-tide of reform had begun to ebb, no sooner had they brought in the appropriation clause than they found it necessary to withdraw it. In 1834 the appointment of a Committee to consider this question dissolved that strong Government, and was almost immediately followed by the retirement of Earl Grey from office. In 1835 the Government of Sir Robert Peel was expelled from office on this very question. From 1836 to 1838, this House was in perpetual conflict with the House of Peers, and in 1838 the broad proposal which this House had placed on its records had to be surrendered by the House, and a settlement was made in direct defiance of that abstract Resolution. What is the proposal of my hon. Friend? It is not really the appointment of a Select Committee. He would think I was trifling with him if I were to argue that it was too late this Session to appoint a Committee to go into all the details of this question. What he really means is an abstract Resolution of this House again condemning the Irish Church—that is to say, he means now once more to enter on that course for which we have so little encouragement from experience. Twenty-five years have elapsed since 1838, when this question was finally settled without the adoption of that celebrated clause, and during that period there has been almost uninterrupted silence upon the subject. The hon. Gentleman has quoted speeches made in the debates of 1856; he says that circumstances alter cases, and that when Gentlemen change their seats they are apt to hold different opinions. My hon. Friend has not told us where he was at that time. He then had the honour of a seat on this bench, and I do not remember, nor do I find it recorded, that we had then any of those animated and pointed sallies and brilliant sarcasms which have enlivened the debate to-night. My hon. Friend referred to the plans which have been brought forward at various times, but I do not know that he identified himself with any of them, nor did I gather which of them he intends to bring before the Committee. He spoke with particular praise of the plan of my right hon. Friend whose loss this Session we have all had to deplore. That plan, I believe, was to place all the tithes in one common fund, and then to make a congregational Church, and to redistribute the money to Protestants, Presbyterians, and Roman Catholics according to the number of their respective congregations. There must be a Concordat with the Pope, and arrangements made with the Roman Catholic bishops. However wise these provisions may be, if you argue this as an abstract question, I need scarcely ask what would be the result if it were proposed to refer them to a Select Committee of this House. I believe this House will not surrender the principle of an Established Church. I believe it will not alienate the property of the Church from the ecclesiatical uses to which it has been devoted. With regard to the payment of Roman Catholic priests, I have yet to learn that the priests themselves desire that payment. [Sir George Bowyer: Hear, hear!] By that cheer my hon. Friend confirms my belief that that part of the plan is not likely to be accepted by either party. That is the ground which I take. I do not at all wish to be understood as sharing in those arguments which would recommend the original institution of a Protestant Church in the heart of a Roman Catholic people. I have no wish to disguise the opinions which I entertain, nor do I wish to put forward any argument in the force of which I do not sincerely believe. The ground I take in opposing the present Motion is this. It is practical ground, and, as I submit, thoroughly sufficient for the occasion. The question is, whether you ought to appoint a Committee to inquire into the general question of the ecclesiastical settlement in Ireland. I think those who think that settlement wise, and those who think it unwise, must concur that it would be a mischievous day when we should appoint a Committee to make such an inquiry without there being any probability that it would lead to a satisfactory result. The result of such a proceeding would necessarily be to disturb and unsettle the question, without there being on your part any prospect of bringing it to a complete and satisfactory conclusion. I have referred to the history of the question, I have touched on the various stages through which it has passed, and I ask the House, whether, seeing that great statesmen and powerful majorities were unable to effect a settlement of it at a time of tithes, a time of pluralities, a time when the whole of Ireland was disturbed by matters connected with the Established Church, this is a moment at which there is any hope of the labours of such a Committee as that proposed by my hon. Friend being attended with a satisfactory settlement of the question. I think the House will agree with me that it is not. There are other ecclesiastical endowments in Ireland besides those of the Established Church. There is the *Regium Donum*, which receives the consistent support of many hon. Members of this

House, on the ground that it is a part of the ecclesiastical establishment in Ireland. Then there is the Maynooth endowment, which many hon. Gentlemen vote for on the same ground, who would not support it on its abstract merits. The same reasoning applies to the endowments of the Established Church; and therefore, when a Motion of this kind, which, while it is not likely to be attended with any good, may do a great deal of harm by exciting a strong feeling throughout the country, is submitted to the House of Commons, in my humble judgment the House will do wisely to meet that Motion with a direct negative.

THE O'DONOGHUE observed, that the fact of the Motion having been made showed that all the people of England did not think it fair that the Church of the small minority of the people of Ireland should monopolize the whole ecclesiastical revenue of Ireland. The arguments put forward by the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Whiteside), when the subject was under discussion on a former evening, consisted in the assertion that the Established Church in Ireland was right, and that, therefore, she was entitled to monopolize the ecclesiastical revenues of the country. If that was the point which it was necessary to argue in dealing with the question, the subject would afford the present generation matter for discussion, and leave a reversion of discussion to their children. It was time that the question of the Irish Church should be discussed in that House. For a long time the Roman Catholic Members had not moved in it; and, perhaps, those Englishmen who would wish to see the present system put an end to, had thought to themselves that it was not for them to make the first move, as they were only indirectly affected by it. His constituents had frequently urged him to take the earliest opportunity of calling the attention of the House to the misappropriation of ecclesiastical revenues in Ireland, and he entirely recognised the grievance of which they complained. Could there be a greater infringement of national rights than to have a Protestant Church in a Roman Catholic country supported by funds provided by Roman Catholics? Was it not a mockery to say that religious equality prevailed so long as the Established Church continued in its present form? He conscientiously believed that the Protestant Established Church, as it existed at present in Ireland, was an anomaly unparalleled and unprecedented. He believed the justice of the complaint of the Roman Catholics clear and self-evident. If he had hesitated to take the course which his constituents wished him to take, it was because he knew that their opponents, though they defended no great principles, were the advocates of great interests, which were sustained by mighty influences, and to a certain extent by popular prejudices, and that the justice of a cause was not sufficient to insure its success. According to the last census, the Episcopalian Protestants in Ireland were, in round numbers, 600,000, and the Roman Catholics 4,500,000. In this country the ecclesiastical State revenues were appropriated to the Church of the majority. According to that rule, they ought in Ireland to be devoted to the support of the Roman Catholic Church. For that, however, he did not, nor did the Catholics of Ireland, ask. In a clear and accurate Report of the Committee of the National Association of Ireland, in the year 1840, which was drawn up by Mr. O'Connell, it was distinctly stated that they did not claim that the ecclesiastical revenues should be applied to the support of the Church of the majority, but that, as existing interests dropped off, they should be appropriated for the benefit of the community, to the support of the poor, the promotion of education, and in works of charity, without distinction of sect or persuasion. The people of England would not endure such an application of ecclesiastical revenues in this country as existed in Ireland. The Irish people did not sanction, and never had sanctioned, that application. On the contrary, all the 4,500,000 Catholics and many Protestants felt that it was a monster grievance. He should lay down two propositions. The first proposition for which he contended was that Ireland was a Catholic nation. The second was that it was unjust to compel her to contribute to the support of a Church in whose doctrines she did not believe, and whose teachings she had emphatically rejected. In support of the first proposition, he appealed to the Returns of the last census. In support of the second, he appealed to the common sense of mankind. Was it possible to name any nation in which the State Church differed from the religion of the majority? In England the establishment was Protestant, because the majority of her people were Protestants; in Scotland it was Presbyterian, in conformity with the religious views of the majority; in Ireland it was Protestant, though the majority were Catholics. According to the Return made to the House, there was in 1861 a decrease of 16,000 and upwards in the Protestant population of Ireland, as compared with 1834; and in some dioceses the Protestants could all be conveyed in a few omnibuses, in others they could not fill a single Catholic chapel. In eleven dioceses of Ireland there were fewer Protestants than there were Catholics in a single parish in the city of Dublin. In the county of Cork there were nearly as many Catholics as there were Protestants in the whole island. The existing state of things was felt by the Irish nation to be an intolerable grievance, and he hoped that the House of Commons would not, by refusing the Motion for inquiry, show that they were determined to maintain a system of injustice, and a policy of repression towards Ireland wholly inconsistent with that fair and liberal system of Government which they advocated in all other parts of the world. His belief was that many Protestants would be found in Ireland who were not anxious to uphold the existing monopoly, and he maintained that Parliament had as much right to deal with the question as with any other. No doubt the House would be told of a compact entered into at the Union to uphold the Irish Church. Now, if there was a compact, it had been already violated; but the Irish people were no parties to the compact, and were not in any way bound by it. At the Union the contracting parties were on the one hand England, and on the other a small place-hunting minority; and it was monstrous to say that such a contract was binding on the present and on all future generations, no matter what the interest of Ireland might be. It could not be said that the maintenance of the Established Church was necessary for the preservation of the Union. The example of Scotland settled that point. The simple question was as to the distribution of the ecclesiastical revenues of Ireland; and was it reasonable that the Protestants of that country, numbering only 500,000, should monopolize all these, to the exclusion of the rest of Her Majesty's subjects in that country. No doubt an attempt would be made by their adroit opponents, through lack of argument, to array against the Motion the Protestant prejudices of the House and of the country; but while the supporters of the Motion would do all they could to avoid exciting religious animosities, they were not to be debarred from pointing out the grievances and anomalies inseparable from the maintenance of a Protestant Established Church in Ireland, through any pusillanimous fear of irritating those champions of Protestant ascendancy who had never shown the Catholics any quarter. All they sought to establish in Ireland was religious equality. They had no intention to assail the doctrines of the Protestant Church; but their case was one of grievous hardship, and they appealed with confidence to the sense of justice of Englishmen. He was anxious to stand well with his Protestant fellow-countrymen and to unite with them in furthering the common interests of their country. But he believed there never could be a sincere and cordial or lasting union of Irishmen till the great principle of religious equality was established on a sure, firm, and eternal basis. In conclusion, he would quote the opinion of Lord Macaulay that no good defence could ever be made for the Irish Church till it was shown that, like the English, it deserved the name of "the poor man's Church;" that it had trained the great body of the people in virtue, consoled them in affliction, commanded their reverence, and attached them to itself and to the State.

MR. GRANT DUFF moved the adjournment of the debate.

MR. NEWDEGATE said, he desired to draw attention to the peculiar position of this debate. The debate was practically a renewal of the debate raised by the Motion of the hon. Member for Swansea (Mr. Dillwyn). To this an Amendment was proposed by the hon. Member for Poole (Mr. Ker Seymer), which he had the honour of seconding. The hon. Member for Swansea, by withdrawing his Motion, compelled the withdrawal of the Amendment of the hon. Member for Poole; and now the hon. Member for Liskeard, taking advantage of the forms of the House, which enabled any Member to bring on a Motion as an Amendment to the Motion to go into a Committee of Supply, renewed in substance the Motion of the hon. Member for Swansea, after the Amendment of the hon. Member for Poole had been got rid of, on an evening when he (Mr. Bernal Osborne) knew that the great body of the Conservative Members would not be present, having an engagement elsewhere, from which it would be highly inconvenient for them to be absent—[Mr. BERNAL OSBORNE: I knew nothing about it]—and when he knew the Prime Minister would be absent from indisposition. He then proceeded to dress up that old doll of the Appropriation Clause with such tinsel as his wit could furnish; he pressed it on the attention of the House at an hour when he well knew that it was impossible that the discussion could be concluded that night. Well, the hon. Member for Liskeard had explained in very few words the nature of his Motion—it was to turn out the Government, and agitate against the Church of Ireland. That was the solution of this Motion, though the hon. Member pretended that all he wanted was reform. But he had avoided the means of obtaining the information necessary for reform, which his acceptance of the Amendment of the hon. Member for Poole would have furnished. Why was this new phase of the agitation got up? It was because the Protestant community of the country, having become aware that in the West of Ireland a considerable number of Christian congregations had been formed by missionary clergymen in places where the means of supplying them with the ministrations of the Church were wanting, had ventured to meet together and subscribe their own money for that purpose—it was because of this that the present attack was made on the Church of Ireland. On a recent occasion, the hon. Member for Dungarvan (Mr. Maguire) used expressions with regard to this movement which ought no longer to pass unnoticed.

MR. SPEAKER interposed, and reminded the hon. Member that it was irregular to refer to a previous debate.

MR. NEWDEGATE said, that in the course of his speech the hon. Member for Liskeard had made constant reference, without objection being taken, to the speech of the right hon. Member for Dublin University, which had been made in a previous debate some days before. He (Mr. Newdegate) had contributed his mite to help his co-religionists in the West of Ireland; and he might be pardoned if he alluded to the fact that in this House—he would not say when—expressions had been used to the effect that a certain pamphlet, written by the Rev. Mr. Garrett in aid of this movement, was a mere trap to catch the credulous and the fanatical in England. It happened that he had known this gentleman for some time, and he knew him to be a gentleman of veracity; and he knew also several Members of the Committee, all of them men of the highest character. Lord Plunket, the Bishop of Tuam, who was not only a bishop but a gentleman of high character, the chief promoter of the movement, had stated to him that he knew the conversions in the West of Ireland to be real. If further evidence were needed of this, he would state that he (Mr. Newdegate) had in his hand a letter from the Bishop of Chichester which fully supported his statement. With such testimony as this the House had palmed upon it a statement that this missionary undertaking was simply a trap for credulity and fanaticism. They had heard an eloquent speech from the hon. Member for Tipperary (The O'Donoghue), who virtually prayed for the abolition of the Church in Ireland. It was not for him (Mr. Newdegate) to interpret the obligation that that hon. Member had taken upon himself when he entered that House, according to the hon. Member's understanding of it; but it seemed to him that according to plain English he, as a Roman Catholic Member of that House, was bound not to seek to disturb or weaken the Established Church in Ireland. He regretted that the opinions of the hon. Member on the subject of property, if they might judge by his recent speech on the subject of tenant-right, seemed as lax as those which he now avowed on the subject of the Church in Ireland. The House was mistaken if it supposed that the affections of the people either in England or Ireland towards that Church were weakened. Although in a great community like this there might be members of the Church of England who spoke of the Irish branch of the Church of England in the spirit of a purse-proud man casting off a poor relation, yet he had had the pleasure of being present at a meeting at which the Archbishop of Canterbury supported the Archbishop of Armagh in the movement that had been spoken of in the House of Commons in terms of derision. They were asked to abandon the parochial system in Ireland, and to substitute for it a congregational system. But the policy of the Church of Rome in England was quite different; for, in defiance of law, that Church was endeavouring to divide England into foreign dioceses and parishes. The House was also appealed to upon the ground of equality; but it appeared, from a recent number of *The Tablet*, that the Pope, in dealing with the South American Republics, had acted upon the great principle of inequality. All the animosity which the House had seen, was excited by the simple attempt to supply, by means of their own money, their co-religionists in Ireland with religious instruction; and yet the House was appealed to against this movement, on the ground of religious freedom. Where was the violation of religious freedom in the people of England endeavouring to supply the religious deficiencies of the people of Connaught from their own private resources? If the House was prepared to reconsider the 5th article of the Union, he trusted that they would reconsider the Union altogether; and then perhaps the hon. Member for Liskeard (Mr. Bernal Osborne) might see his own property, and that of other Irish landlords, dealt with by an Irish Parliament. There had been repeated attempts to injure the Establishment in Ireland, but they had all failed from the direct opposition of public opinion. He (Mr. Newdegate) denounced the cowardice of those Members of the Church of England who shrink from the duty of tendering to Roman Catholics the means of accepting the religion which they themselves enjoyed, no less than from the duty of placing the Sacred Volume in the hands of the Irish people. He thanked the House for having allowed him to defend the endowment, which, if successful, would ensure society having among the Irish people guardians from whom the House would hear if persecution reached the people, and who would be ever ready to make them remember that they were the subjects of a Christian and a Protestant Sovereign.

Sir GEORGE GREY said, it was impossible that the debate could close that night, and he therefore hoped the Motion for the adjournment of the debate would be agreed to.

Lord JOHN MANNERS remarked that the Motion for adjournment would be illusory unless the intentions of the Government as to its continuance were made known.

Sir GEORGE GREY said, that as the Motion of the hon. Member for Liskeard was made as an Amendment to the Question that the House should resolve itself into a Committee of Supply, of course upon the next Supply day that Amendment would stand upon the paper, and he anticipated that it would come on early on Monday.

Debate *adjourned* till *Monday* next.

PUBLIC WORKS AND FISHERIES ACTS AMENDMENT BILL.

On Motion of Mr. Peel, Bill to amend, as far as regards Advances for the purposes of "The Harbours and Passing Tolls, &c., Act, 1861," certain of the Acts authorizing the Advance of Money out of the Consolidated Fund for carrying on Public Works and Fisheries, and Employment of the Poor, *ordered* to be brought in by Mr. Peel and Mr. Chancellor of the Exchequer.

House adjourned at a quarter
after One o'clock, till
Monday next.

HOUSE OF LORDS,

Monday, June 29, 1863.

MINUTES.]—Public Bills—*First Reading*—Courts of Conciliation (h.l.) (No. 171); Jurisdiction of Justices * (No. 172); Harwich Harbour * (No. 174).

Second Reading — Metropolis Turnpike Roads Acts Amendment * (No. 145); Local Government Supplemental (No. 2) * (No. 154); District Parochial Churches (Ireland) * (No. 126).

Committee—Waywardens Contracts (h.l.) * (No. 148 & 173); Inclosure (No. 2) * (No. 161).

Report—Officers of Royal Naval Reserve * (No. 131); Inclosure (No. 2) *.

Third Reading—Leases and Sales of Settled Estates Act Amendment * (No. 158), and *passed.*

Withdrawn—Suitors Conciliation [h.l.] (No. 120).

Royal Assent—Inland Revenue [26 & 27 *Vict.*, c. 33];
Militia Pay [26 & 27 *Vict.*, c. 37];
London, &c. Dioceses [26 & 27 *Vict.*, c. 36];
Offences (South Africa) [26 & 27 *Vict.*, c. 35];
African Slave Trade Treaty [26 & 27 *Vict.*, c. 34];
Bleaching and Dyeing Works Act Amendment [26 & 27 *Vict.*, c. 38];
Local Government Supplemental [26 & 27 *Vict.*, c. 32].

SUITORS CONCILIATION BILL [h.l.] (No. 120.) BILL WITHDRAWN.

COURTS OF CONCILIATION BILL [h.l.] PRESENTED. FIRST READING.

Lord BROUGHAM in moving to discharge the Order for the Second Reading of this Bill and presenting another Bill slightly different, for the purpose of effecting similar objects, said, that the measures which had been passed during the last quarter of a century for simplifying law procedure had been attended with the happiest effects. The establishment of the County Courts especially had been productive of the greatest possible good in preventing tedious and expensive litigation to both parties. He wished it to be understood that his anxiety to stop useless litigation was by no means an attack on the profession of which, for above sixty years, he had been a member. Against lawyers he was far from quoting the divine saying, that "they load men with burdens grievous to be borne, which themselves touch not with one of their fingers." Of neither branch of the profession did he so speak. Nor did he say that they alone were to blame for needless litigation. Their clients must share the blame with them. But that such litigation was a great evil to the parties and to the community was plain ; and this evil he was anxious by all means to remedy. When bringing in the first County Courts Bill in the other House, he stated, with Sir James Scarlett's concurrence, that at the preceding assizes for Lancaster, including, of course, Liverpool and Manchester, the fifty verdicts returned were for sums averaging less than £14. Though five or six actions were to try rights, yet forty out of the fifty were for debt and damages. Although the sums recovered were under £700, the cost to the parties was above £5,000. The establishment of County Courts and the Act recently passed on bills, notes, and bonds, had considerably reduced the amount of litigation in the Superior Courts. In Scotland, from which both measures were borrowed, 22,000 suits yearly were brought in the local courts ; in this country above 400,000, for sums exceeding two millions. The benefits derived from these courts were unspeakable ; but they left much litigation, which, either in the inception of suits or their needless continuance, was a grievous matter, and could be effectually remedied. It required no argument to prove the inevitable tendency of parties going before a person wholly impartial and well qualified to advise. In the bulk of cases his advice would be followed, and hopeless actions or groundless defences would be stopped. Experience had abundantly shown that such was the actual result of Conciliation Courts. Whenever they had been fairly tried, they had greatly lessened the amount of litigation. In France, where the system was introduced from Denmark, though with unfortunate alterations, the greater part of the suits brought had been settled without trial. In Switzerland a larger proportion ; in Denmark, where this law had existed for above a century, out of 30,000 suits commenced, 3,000 only came to trial, the other 27,000 being either settled under the Judge's advice, or dropped before trial. A code of procedure had lately been framed by Sir B. Pine, Governor of our island of St. Christophers, and he had introduced Conciliation Courts with the entire assent of his law officers, who had no doubts of their success. He had taken it from the neighbouring settlement of St. Thomas, the great emporium of trade with the Spanish Main. In that island, as in Santa Cruz, he had learnt from the Governor (himself like Sir B. Pine, a lawyer), that the effect of the Courts of Conciliation had been almost entirely to extinguish hostile litigation. Could it be wondered at, that he should feel most desirous to introduce this institution, of which the effect would be to substitute the incalculable blessing of peace for angry contentions? If he succeeded in obtaining this end, he should believe, that long as his life had been, he had not lived in vain. He presented this Bill for establishing Courts of Conciliation. The chief change made from the former measure regarded the mode of paying the Judge. In preparing this Bill, he had had the inestimable benefit of the assistance and advice of his learned Friend, Mr. M. Malcolm Kerr, the able Judge of the Sheriff's Court, where above 14,000 cases were tried in a year, and where the want of conciliation proceedings was constantly felt.

Motion *agreed to.*

Order for Second Reading To-morrow *discharged;* and Bill (by leave of the House) *withdrawn.*

Then a Bill to enable Persons between whom Disputes have arisen to settle their Differences without resorting to Litigation, *presented,* and read 1ª. (No. 171.)

NEW ZEALAND.

Lord LYTTELTON *presented* a Petition from Taranaki, New Zealand, on the Subject of the Distress brought upon them by the Native War ; and to call the Attention of the House to the Subject, and to that of the Military Defence of the Colonies. The noble Lord proceeded to say, that the world had perhaps seen the two extremes of policy as to the relations between a country and its Colonies. The first was the old Greek system. The Greek colonists could hardly be called so in our sense of the word ; for while they carried with them their household gods, and a great part of the civil and political system of the country in which they had lived, there was no political dependency, and there were scarcely any political relations between the Colony and the mother country. There were friendly relations, which continued for very considerable periods between them, and sometimes produced very striking effects;—but that was all. That was one extreme. The other was our modern English system, of monopoly and restrictions, protection and obedience even in very minute particulars to an office at home. But that was not our earliest plan, that plan bore a considerable resemblance to the old Greek system. The charters granted to the North American Colonies gave them almost complete independence. But those charters were infringed upon at a very early period. The cupidity of the mother country introduced commercial restrictions, as by the Navigation Laws. That system went on till it reached its climax just before the American War of Independence. This plan used to be called emphatically the Colonial system, as if there could be no other; and even a man of the large and liberal views of Burke, at the very moment when he was pleading for the Colonies, had not the slightest scruple in speaking of the monopoly of our Colonial trade as the system that of course prevailed, and that ought to prevail; as when he assumed that the Colonies ought to be compelled to send us everything we wanted in a raw condition, and should be compelled to take everything we sent them in a perfectly manufactured state. This commercial system had of late been so completely abandoned, that a distinguished writer, Mr. Herman Merivale, was able to say, that whereas formerly we gave great political independence to the Colonies provided we could benefit by commercial restrictions on them, now we were willing even to pay large sums for the pleasure of governing them. For concurrent with the disuse of the commercial system there had sprung up the system of governing the Colonies by "Mr. Mother Country" from an office at home. That system, in its turn, had also come to an end, with one single exception. We now gave them constitutions and great powers of local self-government, and we had removed all the commercial restrictions we formerly imposed upon them: the exception was the organization of the colonists for their own defence. There could be no doubt that this exception involved a great anomaly, for in every other respect the colonists had the management of their own affairs. We did not now found Colonies; but we allowed our people to found them. No doubt, his noble Friend (the Duke of Newcastle) had recently had an application made to him, respecting the formation of a Colony in Northern Australia. It was according to right principle for the persons who intended that undertaking to make inquiries for themselves, not only with regard to the climate and the capabilities of the soil, but also with regard to the enemies they might have to encounter and to include that among their other preparations. It was therefore with great pleasure that he had read in a recent despatch sent out to New Zealand, by his noble Friend the Secretary for the Colonies, that the Government had disclaimed the responsibility of relieving the inhabitants from the duty of self-defence as a matter of right which the colonists could demand. The first, the second, and the third lesson which settlers in a new country ought to learn, was the lesson of self-reliance; and among its most important points was the responsibility which, in the first instance, rested upon themselves to take charge of their own defence. Whatever modifying circumstances there might be in New Zealand with regard to that primary responsibility, it was useful to keep the general principle in mind — a principle which he found enunciated in the despatches of his noble Friend, in terms which met with his (Lord Lyttelton's) most complete approval. The two cases which had given most dissatisfaction were New Zealand and the Cape of Good Hope; and of those, New Zealand was the one that offered the most favourable opportunity for applying this principle. Unlike the Cape, it had no enormous frontier, on which there were powerful native tribes; and in many respects it reproduced the leading features of the mother country. There were, in fact, grounds for believing that the sneer of Gibbon, and the more earnest and oft-quoted expression of Lord Macaulay, might be realized, and that New Zealand might hereafter represent England in the Southern hemisphere. It was at our very antipodes. It was not very dissimilar to England in point of size and shape; and it resembled the mother country in climate and natural productions. Moreover, any dangers that could arise to the colonists were internal. Therefore, the case of New Zealand was one admirably adapted for enforcing the policy for which he was contending. But he had hitherto spoken in the abstract. With regard to the present generation of colonists in New Zealand, there were two strong points in favour of their claim to be aided by us in their Native wars at present. He could not, indeed, admit all that had been urged on their behalf; as, that the war had been for Imperial, and not for colonial objects, or had not been entered into with their approval. But the first of those points was, that the colonists had been sent out with the ideas and under the regulations of the old system, and they were on that account entitled to every consideration before any new principle was adopted. The second point in their favour was, that we had absolutely withdrawn from them all effective power over legislation with regard to the Natives. In reference to the latter point, it had been stated in another place by Mr. Adderley, a gentleman who spoke with considerable authority on colonial questions, that the colonists had had a constitution given to them, and that the Crown acted in New Zealand, as it did here, in all matters affecting the Natives as well as any others. But the question was, in what way the Crown acted. In the mother country the Crown acted through its responsible ministers; while in the colony of New Zealand on this single question of dealing with the Natives the Governor was not responsible to the Parliament of the colony, but to the Colonial Office at home. On the one hand, he (Lord Lyttelton) thought that the Government of this country should see the Government of New Zealand out of their present difficulties; but, on the other hand, he thought it desirable that there should be a speedy termination of the present system, and that the people of New Zealand should have the entire control over every subject relating to their own internal affairs. With regard to the particular case of Taranaki, he admitted it was difficult to devise a remedy for the unhappy state of affairs referred to in the Petition, and it would be idle to expect that Parliament should make a specific grant for that purpose. The Colonial Legislature had voted a large sum—he believed not less than £250,000—for the relief of the distress that had arisen in that settlement. But a colony like New Zealand would necessarily experience great difficulty in raising such an amount at once, and it had been suggested that the Home Government might assist the colony by guarantee or otherwise in raising the whole or a portion of that amount without difficulty, and so as to be immediately available.

THE DUKE OF NEWCASTLE: My Lords, my noble Friend, in presenting a Petition, seems to me to have gone round the whole subject of colonization, and yet not to have touched the special point referred to by the Petitions. My noble Friend was, no doubt, placed in a very difficult position, for in presenting a Petition containing sentiments in which he does not concur, and ending with a request of which he does not approve, he had no doubt some difficulty in making a speech which would call for a reply from me; and accordingly I do not find very much in his speech to reply to. In fact, he appears to me, as far as principles are concerned, to go beyond anything which I have expressed in the despatch to which he has referred, in respect to the liability of the colonists for the expenses of the war; for he said most emphatically, that though he is unwilling to lay down any general principle, yet he thinks there is one rule of universal application—that all Colonies are bound to bear the expenses of their own defence, which includes the control of the natives within their borders. Now, I am not prepared to go quite that length, and I have been misunderstood upon that point both by my noble Friend and by the colonists. During the time that I have held the seals of the Colonial Office, I have always felt it objectionable to lay down general principles to apply to varying circumstances. But it must be borne in mind under what circumstances this despatch was written. A year ago I wrote a despatch to the colony of an essentially practical character; and in answer to that the two Houses of Parliament of New Zealand sent over a memorial to Her Majesty of the most extraordinary character I ever heard of as coming from a Crown Colony. Though I have laid it down as a general principle that the Colonies should provide for their own defence, I have never said that all assistance from the Home Government should be withdrawn from New Zealand, and that the colonists should be left to fight out their own battles with the Natives. On the contrary, in the despatch of May 1862, although I said that that principle would be in future maintained, yet that it would not be enforced in the present circumstances; and I said expressly that the troops would not be withdrawn for the present. Now, with regard to the Petition immediately before the House, your Lordships will not hear from me any expression other than of commiseration for the inhabitants of Taranaki; but, at the same time, I must in justice say that they have a good deal to answer for themselves in connection with the present condition of things in that province. Their Petition begins by denying—and it has been denied by the agent of the Colony in this country—that this war arose from any wish or desire, any motive or object, on the part of the settlers. To that assertion I distinctly demur. I say that the war, whether right or wrong, justifiable or unjustifiable, originated with the settlers; that the war was for the benefit of the settlers; and that the war was carried on for the advantage of the settlers—for their benefit and by their desire. How did it begin? There had for some time been much difficulty in obtaining those large tracts of land from the Natives which had been obtained in the earlier days of the Colony. The colonists had increased greatly in numbers; in ten or eleven years from 25,000 to over 100,000. Of course, the demand for land became greater every day; and the Native chiefs, apprehensive of the land falling entirely into the hands of the settlers, formed leagues with a view of preventing the sale of land. The settlers complained that under the system that prevailed in the Colony the difficulties of obtaining land were much increased. The inhabitants of Taranaki were prominent among those who made that complaint. In consequence of the representations of the colonists, the Governor held interviews with the settlers and with the Native chiefs in 1859 for the purpose of bringing about an arrangement. I am bound to say that the language which the Governor held was most fair, for he expressed his determination not to interfere in any Native quarrels, and offered to mediate between the contending parties, but he strongly represented to the Natives that it would be for their own advantage to sell land at a fair price. A bargain was made with one of the chiefs, who promised to sell land—two other chiefs refused to allow that bargain to be carried out—and it appeared that things were merging into getting this bargain carried out by force. The proceedings adopted on the occasion were not taken on the recommendation of the Native Council, but on the recommendation of the Executive Council. The order so much commented on before now for enforcing martial law was signed by the Chief Minister connected with the Executive Council. The settlers presented addresses to the Governor thanking him for what he had done, and asking him to prosecute the measures he had begun until the object in view was obtained. Under those circumstances, how can it be said that this war—whether right or wrong, justifiable or unjustifiable, I am not now saying—was not carried out for the benefit of the settlers, and for their benefit alone? In what way were Imperial interests to be promoted by the hostilities? Without doubt, anything that leads to great expense must be prejudicial to Imperial interests; and when it is said that this war was waged for the Queen's supremacy, it ought to be remembered that this supremacy had to be defended only in order that the object of the settlers might be carried out. I do not deny that the province of Taranaki has suffered severely; but that does not involve the question of compensation from the Imperial Treasury. The sum voted for the inhabitants of Taranaki by the inhabitants of New Zealand is £200,000, of which £25,000 has been paid from money which was raised in this country two years ago. There is at present an agent of the Colony in England with the view of raising a loan of from £500,000 to £600,000, to be applied in payment of the balance of the sum voted to the inhabitants of Taranaki, and about £200,000 to the English Government. Mr. Sewell, the Commissioner appointed to inquire into the matter, estimated the compensation to the inhabitants of Taranaki at £158,000; and the colonists are prepared to pay a larger sum than that, £200,000 having been voted by the Legislature, of which £25,000 has been actually paid to the claimants. But my noble Friend says the Colony is too poor to pay this compensation. I am happy to say the Colony is so prosperous, that notwithstanding the war, the revenue of New Zealand has, during a period of three years, increased from £230,000 to £460,000—or just double—and the imports and exports more than doubled between 1861—the year in which the war commenced—and the following year. I therefore hold that there is no justification for asking this sum from the Imperial Parliament. I now come to another point which I wish to touch upon lightly. I may remind the House that in 1852, by the Act giving a Constitution to the Colony, the islands of New Zealand were divided into six provinces. The present Governor of New Zealand, Sir George Grey, expressed his regret that this Taranaki was constituted a province; he thought it would give rise to difficulties. It contains very considerably less than 1,000 adult male settlers; yet this small body has a Superintendent and a Legislative Council of its own, to deal with its legislative, municipal, and administrative affairs, and it returns three members to the General Legislative Assembly of New Zealand. The consequence is that the province exercises upon the central Government a pressure, which is most mischievous, though I give the Government credit for resisting it to the utmost of their power. In Taranaki there is—I will not say a large body—but a fair proportion of individuals who are at this moment declaring that the only good result for which they can look is a renewal of the war with the Natives, and something like the extermination of that unfortunate people. As long as such language is held, the Government must be placed in much difficulty in restoring peace and tranquillity; but I do trust that they will support the humane, yet determined action of the Governor, and will refuse to sanction anything which will tend to such a frightful result. Let me remind your Lordships that we are discussing these matters without any very recent papers upon the subject; but other and more recent papers are now preparing. It is necessary to be careful what papers are produced, because, while it is the duty of the Governor to keep Her Majesty's Government informed upon all that is going on, there is a danger in printing speeches reflecting on the Natives or measures contemplated by the Governor, since these are speedly carried back and translated into Maori, and there are plenty of people ready to place a false construction upon them, and instigate the Natives to deeds of violence which, if they were properly informed, they would not be inclined to commit. My noble Friend said that things were looking no better than they were looking many months ago. But I am happy to say that despatches received by the last mail show a very considerable improvement. There are two blocks—that is, districts of land which are bought from the Natives—which have been in dispute ever since the war concluded, or was suspended, two years ago—it is impossible to say which is the case. Following their own customs, which existed before Englishmen ever touched the islands, the Natives consider that these blocks belong to them by right of conquest. The settlers having been driven out of them, and not having re-occupied them, the Natives maintained that they belonged to them, and refused to give them up. Now, I need not not say that Sir George Grey has not allowed the Natives to believe for a moment that he would recognise such a claim. And I will draw this moral from what has taken place—that it is most important when you have a Governor of the knowledge, discretion, and humanity which characterize Sir George Grey, to place confidence in him, and not be too hasty in condemning him because we do not see immediately the results from his policy which we should all desire. For the last two years Sir George Grey has been pursuing a quiet, steady, but resolute policy, of which we are now reaping the fruits. He began, as a statesman and a soldier would begin, by making roads through this difficult country, intersected by morasses and jungle. After doing this, General Cameron, at the head of a few troops, took possession of both those blocks, established a redoubt on each, and had done this without shedding a drop of blood; while, instead of the resistance with which he was threatened by the Natives—but still more by those who for their own purposes and objects profess to speak on behalf of the Natives—the Governor, with the General and the troops, were received with the utmost cordiality and good-will. By the last accounts—and I have a private letter from the Governor dated three or four days later than the last despatch—he informed me that the Natives, who had so lately been fighting against us, were bringing in potatoes and other commodities for sale for the use of the troops. Now, this is a very hopeful sign, and looks like the beginning of the end. Under such circumstances, I hope that in this country and in the colony patience will be shown, and that in New Zealand the voices of those men whose object is war will be extinguished. In conclusion, I cannot help repeating my high approval of the manner in which Sir George Grey has conducted the affairs of the Colony ever since he returned to it; while nothing can be more admirable than the assistance rendered to him by the distinguished General who was sent out by the illustrious Duke (the Duke of Cambridge) to take charge of the military operations at the commencement of the war. Sir George Grey always speaks in the highest terms of the aid which General Cameron has given him, and of the discretion and good sense shown by that officer on every occasion; and I rejoice that the Commander-in-Chief has requested the General to continue his services there for some time longer. I earnestly hope that nothing will be said with reference to the Natives in this country, whatever may be said in the Colony, tending to instigate them to measures which will end in a renewal of the war.

EARL GREY said, he could not allow the discussion to close without expressing his entire dissent from the views expressed by his noble Friend (Lord Lyttelton), and also his regret at the principles of policy which he feared the Government had determined upon pursuing with respect to this matter. His noble Friend had not exaggerated the distress which had been brought upon a portion of New Zealand by the Maori war. He had heard with satisfaction from the Secretary of State that by the last account appearances were more promising, and that we were not immediately threatened with a renewal of the war. But he could not help thinking, that though the danger of a renewal of the war might be averted for the present by the ability of Sir George Grey, unless a more decided policy was adopted, New Zealand would remain a slumbering volcano, ready at any moment to break out and involve not Taranaki alone, but other settlements, in ruin. He held this opinion because, when they considered what was going on, it was impossible not to see that the late war arose from the just discontent on the part of the Maoris. His noble Friend laid it down as a general principle that this country ought never, under any circumstances, to interfere for the internal defence of Colonies; that this ought to be left exclusively to the colonists, even when they were placed in the midst of numerous and savage enemies; and that, on the other hand, we should not attempt to interfere with the measures which they thought it right to pursue for themselves. Now, he differed entirely from his noble Friend, believing it to be necessary both to contribute to their defence under such circumstances, and also to exercise some control over the measures which they adopted. What would be the consequence of doing otherwise? Some time after the colonization of New Zealand a war broke out with the Natives, and Sir George Grey was sent out with large power. Sir George, by a judicious use of his powers and a prudent display of military force, put an end to the war, and subsequently sanctioned many laws of great benefit both to the settlers and to the natives. From 1846 to 1852 peace continued, the Colony enjoyed complete tranquillity, and made great progress in wealth and prosperity; while the natives were conciliated, and were becoming attached to the Queen's rule. In 1852 Parliament thought fit to grant representative institutions to New Zealand, and had they been framed in a judicious manner would probably have been of great service. But, unfortunately, the Act which was passed for the purpose of creating these institutions contained provisions which left the Governor no executive authority in the Colony. The Superintendents of the different provinces were made elective; and afterwards Colonial Acts were passed which established the system of what has been styled responsible Government, but might more correctly be described as party Government. He had always held, that until a Colony had made considerable progress in wealth and population, such a Government was not one calculated to promote its real interests, and that the more simple form of representative institutions which was alone known in our Colonies twenty years since, was more calculated to advance their prosperity. But whatever opinions might be held upon the general question of policy, no one, he thought, would believe that such a system of government was fitted for a Colony where British settlers were mixed up with large numbers of a Native race in a very low stage of civilization. The consequence of such a system was simply this—that an educated minority obtained all the powers of Government, and almost necessarily administered the affairs of the Colony without any reference to the interests or feelings of the Native population. Thus in the case of New Zealand the immediate consequence of the change of system was, that the Natives, who had become loyal and attached to the British Sovereignty, were rendered discontented by seeing all power transferred from those whom they regarded as their friends and protectors to the hands of a party whose expressed views were opposed to the interests of the Natives. They found that their interests were neglected, that measures which had been passed appropriating for their benefit a portion of the revenues to which they largely contributed were discontinued, and that those in whom they had confidence were dismissed from the public service through party motives. Those circumstances produced feelings of disaffection; and then occurred the events at Taranaki which led to the outbreak of the war. He had always held the belief, that whatever might be the truth on the much-disputed question as to the technical right to the land in question, the act of taking possession of it at that time was an act of extreme imprudence, for which the colonial Ministry were solely responsible. It led to war, in the course of which a dreadful waste of life and property occurred, which were ultimately stopped mainly by the cessation of attempts to enforce the obnoxious measures. Peace had since continued, owing to the judicious measures adopted by Sir George Grey. But still there remained this state of things. There was an Assembly of fluctuating opinions, upon which the authority of the Ministers depended, and except through these Ministers the Governor could do nothing. There were elected Superintendents, who were practically exempt from all control of the Governor; and there still remained among the natives feelings of jealousy and suspicion, which might at any time lead to an outbreak. That was not a state of things which should be permitted to continue. He must confess that he had read the despatches with some surprise, because he found in them no suggestions of a remedy for the present unsatisfactory condition of affairs. If it were desired to prevent a renewal of the war, sooner or later there could be no doubt that we must to some extent retrace our steps. With Colonies situated as New Zealand was, the mother country should deal more generously with the colonists, and ought not to call upon them to bear the whole burden of defending themselves before they were in a condition to undertake the task. He had always held that as a Colony became prosperous and populous it should be required to take upon itself a share — and even a large share—of the burden of self-defence; but he could not approve of the doctrine of the duty of Colonies to defend themselves being pushed to an extreme, and that in circumstances of difficulty and danger like those of New Zealand and the Cape we should throw the Colonies upon their own resources. What would be the consequence of doing so? It was well described in that memorial which the noble Duke had referred to, and which, among some easily-refuted arguments, also contained some just complaints, which had not been dealt with in the despatches. In the memorial it was truly pointed out, that if the colonists were left entirely to their own defence, any future war must degenerate into a guerilla war—a life-and-death struggle between the contending races. That statement was perfectly true—if there were no impartial authority to control the war, and to prevent abuses, any future war must become one of extermination. The noble Duke thought it would be unjust to the colonists to expect they would act upon such extreme principles; but they would not be able to avoid it, and all past experience proved that it was almost inevitable under such circumstances. The case of North America had been referred to:—but in North America the process of colonization was a process of the gradual extermination of the natives—a process disgraceful to Europe, although in those days these matters were less understood than at present. But in New Zealand that was not necessary. The Maoris had shown themselves capable of government, and anxious to submit to a fair and impartial government; and it had also been shown, that by the authority of the Crown, properly supported and exercised, a state of peace and good order might be preserved which, in the course of a few years, or perhaps he should rather say generations, might lead to the amalgamation of the two races and the formation of a happy and contented community. If the present state of things were allowed to go on, the war of extermination predicted by the Assembly might result; other settlements besides Taranaki would be involved in similar calamities. That was a state of things which they were not justified in allowing to arise. The measures to avert these consequences were not difficult to discover. It was not necessary that the war should be revived, or to deprive New Zealand of the benefits of representative institutions. What was necessary was that they should have such institutions as formerly prevailed in the Colonies; that the executive authority of the Crown should be re-established; that what was called responsible Government should be got rid of; that the Governor should be responsible to the Crown and the British Parliament for his executive administration, and that while the Colonies should have, through their representatives, the power of making known both to him and to the Imperial Government their wants and wishes, the executive authority should be wielded by the Governor, assisted by Ministers who were servants of the Crown, holding their places technically during pleasure, but virtually during good behaviour. He was perfectly persuaded that the Colonies were not able to provide such forces as were necessary, and that it was necessary that this country should take on itself the charge of maintaining for some years to come a considerable military force in the Colony. By these measures, while the European settlers would enjoy all the real benefits of representative Government, they would, on the other hand, conciliate the Maoris, and secure to them a just and impartial government. He did not want to go further, except to say this—he deeply lamented to observe, from the despatch of the noble Duke, that Her Majesty's Government had a totally different notion of the principles which ought to be acted on, not only in regard to New Zealand, but in other Colonies. They seemed to think that they should abdicate all authority in the affairs of the Colonies, and throw them entirely on their own resources. He totally dissented from that policy. He was as much opposed as any of their Lordships to a system of vexatious interference in the internal affairs of the Colonies; but, he said, if the British Colonies were to continue to form part of a great Empire, it was absolutely necessary that the Imperial authority should be maintained, in order to insure that the government of every part of the Empire should be carried on in such a manner as to promote the general interests of the whole. The degree of interference that was required in different Colonies varied greatly, according to their several circumstances. As they became more advanced, the interference of the mother country in their administration might be gradually relaxed; but in none of them, not even in the most advanced, ought the reins to be thrown down altogether. If they were to abdicate all control, let them get rid of the mere name of sovereignty. If the Imperial Government is to exercise no authority over the Colonies, it ought to be relieved from all responsibility on their account—they ought to cease to form part of the British Empire and to use the British flag. But he was of opinion that the abandonment of our Colonies would be a mean and unworthy policy, and he was one of those who should most regret to see it adopted; but, mean and unworthy as he regarded that policy, still worse and still less to be defended on any principle of reason was that policy which should retain possession of the Colonies, and shrink from the performance of the obligations and the fulfilment of the duties which their connection with us involved. That was a policy which England could not pursue without deep disgrace. Such were the views he entertained. He could not read the despatch of the noble Duke, or listen to his speech, without entering his protest against the doctrines laid down in them. He entirely concurred with the noble Duke as to the propriety of exercising great discretion and judgment in choosing the despatches from New Zealand which, in the present state of things, should be laid on the table and published. He, for one, should never find fault with the noble Duke for exercising a large discretion in withholding any documents he thought it dangerous to publish; but, on the other hand, he must complain that they had been kept so long in ignorance of the policy which the Government intended to pursue. He found this despatch which the noble Duke wrote to New Zealand, containing an exposition of what the policy of the Government was in future to be, bore date February 26, and it had only been laid on the table and ordered to be printed on the 10th of the present month, so that it had been in their hands only a few days. They had thus been kept these three or four months in absolute ignorance as to the policy of the Government in a matter of vital importance. For his own part, had he known earlier of the existence of that despatch, and if no other noble Lord had done so, he should have felt himself called on to bring it under their consideration. At the present period of the Session, however, he felt that the subject was one to which justice could not be done. He deeply regretted that despatch had been so long withheld.

THE DUKE OF NEWCASTLE wished to explain. His noble Friend complained that the House and the public had been kept in ignorance of the policy of the Government by the delay which had taken place in the production of this despatch; and *primâ facie* his noble Friend was quite correct in saying that the despatch was ordered to be printed on the 10th of this month. But the despatch had been laid on the table of the House of Commons within a week after it was written; and it was entirely a mistake that it had not been delivered to their Lordships. It was only when his noble Friend at the table, who intended to use it, stated that although he had seen a copy of it, it had not been produced, that his attention had been called to the fact, and it was then laid on the table and ordered to be printed. The despatch, however, he repeated, had been laid before the House of Commons three months ago.

EARL GREY must say that these were mistakes that ought not to occur. That despatch he had never heard of. They did not habitually get the papers of the House of Commons, and the despatch had not been noticed in any of the newspapers of the day, so far as he had seen.

LORD LYVEDEN said, he entirely approved of the last despatch of his noble Friend, and could not concur with the noble Earl as to the expense incurred for the defence and government of our Colonies. The real history of all the wars was, that the settlers, confiding in an immense force being sent out from this country in case of hostilities, were always ready to pursue an oppressive course towards the Natives. No doubt there were remedies for this evil; but he hoped the Government would never resort to the course of retracing their steps by upsetting responsible government in the Colonies; for if they did so, the whole Colonies would revolt against it. As regarded the treatment of Native races, he feared that wherever the Anglo-Saxon race obtained a permanent settlement there was a tendency to the gradual extermination of the aborigines.

LORD LYTTELTON made a few remarks in reply, which were not heard.

POLAND.—OBSERVATIONS.

EARL RUSSELL: My Lords, I desire to make an appeal to my noble Friend (the Marquess of Clanricarde) who has given notice of his intention to move for certain papers connected with the affairs of Poland. The first two—the Circular Note of Lord Castlereagh to the Plenipotentiaries of the Congress of Vienna, dated 12th January 1815, and the reply to that Note of Prince Metternich and Baron Wessemberg, of the 21st of January 1815—are contained in the papers which I laid on the table by command the other night. The third, the note of Prince Talleyrand to Prince Metternich upon Poland, dated 19th December 1814, is printed in the State papers, and was not included in those documents. If my noble Friend likes to move for it, it can be presented, and will then be regularly before the House. I have understood this morning that it is the intention of my noble Friend to raise a debate upon this question. I must ask him not to bring on that discussion at the present moment, because I feel convinced that it would be likely to be very injurious to the public interest, and that it would certainly seriously aggravate the responsibility of those who are charged with the management of public affairs. The present state of the matter is this:—Notes, or rather despatches, have been presented at St. Petersburg by the Ambassadors of England, France, and Austria. Those despatches were only presented to Prince Gortschakoff on Friday or Saturday last—I think on Saturday. Princh Gortschakoff said that he would take the orders of the Emperor; but no opinion has yet been expressed by the Russian Government. Now, I cannot but think that under these circumstances a discussion in this House might seriously prejudice the consideration of the proposals of the three Governments, and I hope that my noble Friend will wait at least until we hear further from St. Petersburg. If his object is to prevent any action on the part of Her Majesty's Government, there is no action which is likely to be taken until a reply is received, and therefore my noble Friend will run no risk of allowing the Government to adopt any measure of which the House is not informed. Of course, my noble Friend is aware, that when the reply is received, it will immediately be produced.

THE MARQUESS OF CLANRICARDE: My Lords, I shall cheerfully and gladly comply with the request of my noble Friend, and I shall not think of saying anything at all upon the subject to which he refers. When the proper time comes, I shall ask leave to withdraw the Motion. I must say that I use the word "gladly" advisedly. My noble Friend and Her Majesty's Government must feel that independent Members of Parliament are now relieved from that responsibility which I, for one, think rested on them, to notice the propositions which have been stated in Parliament to have been made to the Russian Government, together with the intimation given in the other House of Parliament that no injury would arise to the public service from a discussion of these propositions. I should have thought, if the House had been silent after what I have now stated had taken place, we should be held in honour and good faith to have considered ourselves more or less bound by that silence hereafter. I can assure my noble Friend that no man could more gladly leave the question in the hands of my noble Friend and of the noble Lord at the head of the Government than I do. But I do think that the position of the Government, after what has occurred, is so very novel that the question must be discussed. Feeling relieved from all responsibility in the matter, I shall most gladly withdraw my Motion.

THE EARL OF DERBY: My Lords, I cannot at all object to the course which the noble Marquess has pursued. I think that after the request made to him by the noble Earl it was impossible that he should take any other course than that of postponing the discussion which was intended to be brought on this evening. At the same time, I have a very strong impression, that if injury would be done to the public service by a discussion in this House, there might have been as much chance of injury being caused by a debate in the other House of Parliament. It would be a great convenience if the principal Members connected with the management of Foreign Affairs in the two Houses had some little concert with each other as to what is and what is not likely to be injurious to the public service; because the noble Earl must be aware that a Motion was made for the purpose of postponing a discussion on Poland in the House of Commons on the ground that it might be prejudicial to the public service, when up gets the Prime Minister, informs the House that there is not the slightest chance that difficulty will be caused by entering upon the discussion, actually himself votes against the postponement of the discussion and for continuing it; and, being left in a minority, and the question not coming on, goes so far as to take the unusual course of explaining in the House all the propositions which are at this moment waiting the consideration of the Emperor of Russia. In this House I suppose we must accept the authority of the noble Earl, and therefore we must suppose that this is a subject which it is very dangerous to the public interests to discuss in the House of Lords; while, upon the authority of the Prime Minister, it is one which the House of Commons may discuss with perfect impunity and without the slightest danger to the public service. I confess, I am at a loss to reconcile the different views taken by these two high authorities. In this House we are bound by the authority of the noble Earl; but, at the same time, I must be allowed to say that I entirely concur with the view taken by the noble Marquess, that if we keep silence on this occasion, it is at the request of the Government, and we are relieved from responsibility for any course which may be taken, or for not having objected to that course at an earlier period. I will not enter upon the question; but I cannot help saying that the circumstances of the present time appear to me to be likely to be productive of so much embarrassment, likely to lead to so much difficulty, and so little likely to tend to any useful result or to any satisfactory conclusion of this great difficulty, that I do not think this House would have done its duty if it had kept entire silence, except on the especial invitation and at the request of the Secretary of State, who is himself mainly responsible for the conduct of the business.

Earl RUSSELL: I take entirely upon myself the responsibility of asking my noble Friend not to bring on his Motion, and he may, if he thinks it necessary, at a future time plead my having requested him to do so on my own responsibility, being charged with the special direction of Foreign Affairs. I do not think it at all necessary to defend the course taken by the noble Lord at the head of the Government in another place. It might not be inexpedient to allow that discussion to come on in the House of Commons a week or ten days ago, but it may be very inexpedient that it should come on here to-night. I do not think that it is absolutely necessary, that if one Minister says a thing one week, another Minister should say the same thing the next week under different circumstances.

The Earl of DERBY: The difference in the course pursued by the two noble Lords may be reconciled in this way. It may be that it is thought much more attention is paid to anything which passes in your Lordships' House than in the other House of Parliament.

Earl GREY: I hope that is the proper interpretation to be put upon the matter, and that it is not supposed your Lordships are so wanting in discretion that you cannot be trusted to discuss a question with which the House of Commons might be safely permitted to deal.

On the Orders of the Day being read, the Notice of Motion was accordingly withdrawn.

House adjourned at half past Seven
o'clock, till To-morrow, half
past Ten o'clock.

HOUSE OF COMMONS,

Monday, June 29, 1863.

MINUTES.]—Supply—Resolutions (June 25th) *reported.*

Public Bills — *First Reading* — Removal and Punishment of Prisoners* [Bill 194].

Considered as amended—Public Works (Manufacturing Districts [Bill 192].

THE MHOW COURT MARTIAL.

QUESTION.

Mr. CONINGHAM said, he wished to ask the Under Secretary of State for War, Whether he will lay upon the table of the House a copy of the second Letter or Memorandum of the Mhow Court Martial, signed by the Adjutant General, a portion of which letter has been read out to Captain Smales at the Horse Guards, wherein it was said that in the opinion of His Royal Highness the statements contained in the Paymaster's letter of the 26th of February were not considered by him as false, though they were in part malicious? He would also renew the question he had formerly put, whether the opinion of the Judge Advocate General has been given on the legality of the proceedings at the Mhow Court Martial before Captain Smales was gazetted out of the service?

MR. E. P. BOUVERIE said, he also wished to ask the noble Lord whether a subsequent communication or memorandum, signed by the Adjutant General, has been sent to the Commander-in-Chief in India, modifying the opinion on the proceedings of the Court Martial at Mhow contained in the Memorandum of His Royal Highness the Commander-in-Chief of the Army upon the same subject, now upon the table of the House, or in any way relating to the same subject; and whether such first-mentioned communication or memorandum has been read to the assembled Officers of Her Majesty's Enniskillen Dragoons in India as publicly as the Memorandum now upon the table?

THE MARQUESS OF HARTINGTON: I shall, perhaps, be able most easily to explain the position in which the War Office stands with regard to these papers if I first answer the Question of my right hon. Friend (Mr. Bouverie). I will therefore state that the only document which at all answers the description given to it by my right hon. Friend is a communication or memorandum which was last March forwarded by the Adjutant General to the Commander-in-Chief in India, and which was covered by private letters to Sir William Mansfield and Sir Hugh Rose. The private letters that covered the memorandum were marked "private," and they were addressed "My dear Mansfield," and "My dear Rose." The memorandum enclosed was particularly described as being private, and particular directions were given that it should not be read to the troops in the same way as the former one, or published in any way. I am not aware, and cannot suppose it possible, that it should have been read in India in the public manner stated by my right hon. Friend. I hope I have made it sufficiently clear to the House, that when I stated there was no "public memorandum" on this subject, I was perfectly correct. And I think the House will see, that that memorandum being covered and guarded so carefully as a private communication, the House has no claim whatever to have the memorandum published. [MR. CONINGHAM: Was it signed by the Adjutant General?] I am not sure whether it was signed by him or not. The circumstances under which it was sent out were these:—His Royal Highness the Commander-in-Chief had received several private letters from officers in India on the subject of this court martial. The Commander-in-Chief requested the Adjutant General, who was acquainted with his views, to draw up a private memorandum embodying those views for the information of Sir Hugh Rose and Sir William Mansfield. In that memorandum his Royal Highness stated that he fully appreciated the motives which prompted the officers in India in what they had done, but he distinctly declined to modify any of the opinions to which he had given expression in the memorandum publicly read to the troops in India. Although, therefore, there is, in the opinion of the Government, no necessity or obligation to lay this private memorandum on the table, still, at the special request of his Royal Highness, who wishes that no step which he has taken in this matter should be kept back from the public, and who apprehends that after the questions which have been put, and the public mention which has been made respecting this memorandum, a false impression might go forth to the world if it were not laid on the table—at the special request, I say, of the Commander-in-Chief, this second memorandum, as well as the private letters of his Royal Highness will be laid upon the table.

With respect to the Question of the hon. Member for Brighton (Mr. Coningham), I have to state I cannot lay any such letter or memorandum as that to which he refers on the table of the House, because no such paper is in existence. As, no doubt, the hon. Member had some grounds to go upon in asking the Question, I will state what did occur, and what gave rise to the supposition that such a paper existed. In a conversation at the Horse Guards between the Adjutant General and Mr. Smales, the Adjutant General read to Mr. Smales a portion of a departmental or office Minute which he himself had written to the Military Secretary embodying his own views upon the court martial. That Minute was read by his Royal Highness the Commander-in-Chief, but he did not concur in it. The Minute was read by the Adjutant General to Mr. Smales by way of explaining to that gentleman what the ideas of the Adjutant General himself were upon the court martial. The passage that was read was to this effect—that in his (Sir James Scarlett's) opinion Mr. Smales's charge against Colonel Crawley was malicious, but perhaps not intentionally false, as Colonel Crawley, though in cantonments and on parade, was not at the time in actual command of the regiment. When the Adjutant General read this Minute to Mr. Smales, he was explaining to the latter, that in his opinion, although he might have expressly proved that Colonel Crawley was not present in command of the regiment on parade, still being present in cantonments and in actual charge of the regiment, the statement was essentially false, though Mr. Smales might not have made an intentionally false charge. But this opinion of the Adjutant General was never confirmed or adopted by the Commander-in-Chief; it never took the form of a memorandum or letter, and therefore cannot be laid upon the table. If, however, the hon. Gentleman should ask me whether I will lay on the table the Minute of the Adjutant General, my reply would be that it is contrary to all precedent that a departmental or office minute should be laid upon the table, and it cannot be produced. With respect to the Question whether the proceedings of the court martial on Mr. Smales in India were submitted to the Judge Advocate General, every Member of the House knows, that as soon as they arrived in England, they were submitted to him, and he gave it as his opinion that the sentence passed by the court martial was a legal sentence.

MR. CONINGHAM: What I asked was, were the proceedings submitted for the opinion of the Judge Advocate General?

THE MARQUESS OF HARTINGTON: The proceedings were submitted to the Judge Advocate General; and as he gave his opinion that the sentence passed was legal, Paymaster Smales after a time was gazetted out of the regiment. I believe I have now answered all the Questions.

MR. CONINGHAM: I shall to-morrow ask a further Question on the subject.

NEW CIRCUIT ARRANGEMENTS.

QUESTION.

MR. HADFIELD said, he wished to ask Mr. Attorney General, What progress is making in the arrangement of new or additional Circuits, and when a Report will be made to the House; and whether any and what measures are taken to relieve the Judges from the excessive toil now imposed on them, by means of creating additional Judges or otherwise; and, if not, what causes prevent the correction of an inconvenience to the public in the administration of justice?

THE ATTORNEY GENERAL, in reply, said, his hon. Friend seemed to suppose that a Commission had issued to inquire into the subject of Circuits, and that the Government were waiting for their Report; but no Commission was in existence, and therefore no Report was being waited for. With regard to the number of the Judges, it was not at present in the contemplation of the Government to propose an increase. But it was hoped that such changes as might be proposed would have the effect of relieving the unequal pressure of judicial business which now existed, and of enabling the Judges in their present number, without being unduly pressed, to administer justice satisfactorily in their respective Courts. Some changes seemed desirable and expedient, and for such as could not be effected without the aid of Parliament a Bill would be brought forward during the present Session, should there appear any reasonable prospect of it passing into law.

THE HUDSON'S BAY COMPANY.

QUESTION.

MR. ARTHUR MILLS said, he wished to ask the Under Secretary of State for the Colonies, Whether the attention of Her Majesty's Government has been called to certain negotiations said to be pending between the Hudson's Bay Company and an Association called the International Credit Company for the sale of a large portion of British North America; and whether the Government have recognised or sanctioned the bargain; and, if so, with what reservations or restrictions; also whether any Correspondence has taken place with the Government of Canada on the subject, and whether any steps have ever been taken to ascertain the legality of the powers claimed and exercised by the Hudson's Bay Company, in respect to territory, taxation, trade, and government, by a reference of the same to the Judicial Committee of the Privy Council, as advised by the Law Officers of the Crown in 1849, in compliance with an Address voted by the House of Commons in that Session of Parliament?

Mr. CHICHESTER FORTESCUE said, that with respect to the proposed sale, not of a large portion of British North America, but of the stock of the Hudson's Bay Company, the Government had no official information which went beyond that which had appeared in the public prints. That information consisted only of a letter from the Chairman of the Hudson's Bay Company; but his noble Friend the Secretary of State for the Colonies had had intimation that in the course of the present week he would be put in possession of further and complete information, which he would have before him when he made his intended statement on British North America. If his hon. Friend would repeat his Question in the course of a few days, he would be able to give him an answer. With respect to the last Question, if the hon. Gentleman referred to the Parliamentary Paper of 1850, he would find what took place in pursuance of an Address of the House of Commons. Earl Grey, then Colonial Minister, called on the Hudson's Bay Company to furnish the Colonial Office with a statement of their claims with respect to territory and other matters. That statement was furnished, and submitted by Earl Grey to the Law Officers of the Crown—Sir John Jervis and Sir John Romilly. They reported that in their opinion the Hudson's Bay Company was in legal possession of the powers and rights they claimed, and that the proper mode of testing the validity of their Charter would be by petition addressed by private persons to the Crown. The parties interested in the matter did not think right to take that course, and Earl Grey did not think it was the duty of the Government to institute such proceedings on their behalf.

PUBLIC WORKS (MANUFACTURING DISTRICTS) BILL—[Bill 192.]

CONSIDERATION.

Bill, as amended, *considered.*

Mr. BENTINCK said, it might be in the recollection of the House that on a former stage of the Bill he had asked some questions of the right hon. Gentleman the President of the Poor Law Board, without obtaining any answer, and that subsequently on the same day the House went into Committee on the Bill. If he were asked why he did not then repeat his questions, his answer would be that an appeal was made to the House by the hon. and gallant Member for Lancashire, setting forth that any further discussion at that time would interfere with the progress of the Bill, and in deference to that appeal he abstained from pursuing his inquiry. The questions to which he called the attention of the right hon. Gentleman were—first, whether he considered that the security to be given for the money to be advanced under the Bill was of such a nature as to render it quite certain that the money would be ultimately repaid, as otherwise the result would be, that portions of England in which, judging from the comparative state of the poor rates, still greater distress existed, would be virtually taxed for the relief of Lancashire. Secondly, whether, in his opinion, the distress existing in Lancashire was not to be attributed quite as much to overtrading as to the deficient supply of cotton. If that were so, the whole position of the case would be altered, and the House, though they might be prepared to come forward in times of great distress to relieve a portion of the population which might be suffering in consequence, were bound to ask the Government whether they had taken steps to prevent a recurrence of the evil. The third question was, whether the Bill would be a permanent source of relief; or whether it would be merely a temporary measure, and that the House would be called on in the end to resort to emigration? To the latter question, the only answer he obtained was, that in a later stage the hon. Member opposite would bring forward the subject of emigration, and that on that occasion he would express his opinion upon it. He (Mr. Bentinck), however, thought the House was entitled to information on all three points at an earlier period of the proceedings. The only answer he did elicit from the right hon. Gentleman was a somewhat—he would not say discourteous—but a somewhat supercilious taunt directed against his hon. Friend the Member for Devonport and himself, that they were the only two men left in the House, or perhaps in England, who still advocated the principles of protection. As the right hon. Gentleman had thought proper to throw out that taunt, he would not probably think he (Mr. Bentinck) was going out of his way if he offered an observation in reply to it. The right hon. Gentleman must have studied very little of the history of his own country not to know that during the last few months there had been two most remarkable converts to the principles of protection. Why, in the last eight or nine months the hon. Member for Birmingham

(Mr. Bright) and the hon. Member for Rochdale (Mr. Cobden) had publicly, avowedly, and advisedly advocated the principles of protection. The hon. Member for Birmingham boldly advocated the exemption of the cotton fields of India from all taxation till such time as they should be able to supply English manufacturers with cotton at remunerative prices. The hon. Member for Rochdale recommended that the cotton mills of Lancashire should be exempt from taxation till they were again at work with profit. He (Mr. Bentinck) claimed, then, these two hon. Members as converts to the doctrine of protection; and he would remind the House that the protection which these hon. Members asked for was of a widely different kind from that which he himself advocated. The protection that he advocated was protection against foreign competition; the protection which those hon. Members asked for was protection of the most mischievous and objectionable kind—namely, protection of one class of their countrymen against another. For one, he had always been of opinion that protection would be again called for, and that the first cry for it would come from Manchester; but he must confess that he had never been so sanguine as to expect that the cry would be raised so early as 1863, and, above all, that it would be raised by the hon. Members for Birmingham and Rochdale. But did the right hon. Gentleman, who taunted the hon. Member for Devonport and himself with standing alone in their belief in protection, himself believe in the existence of the large number of sincere free-traders that he talked about? Giving the right hon. Gentleman perfect credit for sincerity, he could assure the right hon. Gentleman that it was he (Mr. Villiers), and not the hon. Member for Devonport and himself, that formed the exception. The right hon. Gentleman the Chancellor of the Exchequer had described the whole position in the happiest manner. A few years ago in discussing the Treaty of Paris, he told the House that every man, without exception, was a free-trader, but that there was no free-trader without his exception, for that every man was a free-trader except in the commodity in which he himself dealt. Did the right hon. Gentleman believe that the sudden conversion to the principles of free trade that occurred in 1846 were sincere conversions? Did he believe that the still more sudden and remarkable conversions that occurred in 1852, when noble Lords and right hon. Gentlemen voted that to be wise, just, and beneficial, which they had always theretofore denounced as unwise, unjust, and prejudicial to the welfare of the country, were honest conversions in half a dozen hours? No. Those noble Lords and right hon. Gentlemen were converted by the threat of expulsion from office; and there was no kind of conversion that such threat would not produce. [*A laugh.*] The right hon. Gentleman laughed; but he knew that the term "free trade" was a rank absurdity, and for this reason—it never did, it never would, and never could exist. He knew that it meant nothing more nor less than a national bankruptcy. Believing the subject to be of vital importance, he felt himself justified in asking of the right hon. Gentleman clear and distinct answers to the three questions which he had that evening asked a second time.

MR. FERRAND said, he did not rise to discuss the question of free trade, and, indeed, he thought the right hon. Gentleman had made a great mistake in introducing it. He rose to express a wish that some Member of the Government would tell them what was to be done with the unemployed factory operatives in Lancashire and Cheshire during the ensuing winter, and who was to be responsible for their condition? A fortnight ago the Central Committee met in Manchester, and Mr. Farnall, the special Commissioner employed by the Government to inquire into the distress, made a statement of a most alarming character. He stated that during the ensuing winter about 400,000 men, women, and children would be out of employment in the cotton districts of Lancashire and Cheshire alone, and that, by the Public Works Bill then passing through the House, not more than 27,000 adults would find employment, giving the means of subsistence to 82,000 men, women, and children. As many as 318,000 would therefore have to be kept out of the poor rates or by the aid of the Treasury. He (Mr. Ferrand) had, on four different occasions, asked the President of the Poor Law Board to give him the number of unemployed unmarried women in the factory districts who had formerly gained a living at the mills. The right hon. Gentleman said at first that he would try to get Returns on this head, then that it would be some time before they were ready, next that there was some difficulty in procuring them, because a great number of single women had never received parochial relief but had been maintained by private subscriptions; and lastly, that the clerk to the Central Committee at Manchester had undertaken to see whether the information could be obtained. Now, he believed that the right hon. Gentleman had done all he could to get those Returns, and that he would produce them if he had them; but he was afraid the right hon. Gentleman had been deceived in the matter. He received, on Saturday, a letter from an active Member of one of the relief committees, stating that there was no difficulty in ascertaining the number of the unemployed single women, because sewing schools were established in nearly all the manufacturing towns, where young women in receipt of relief either from the committees or the Poor Law Guardians, are obliged to attend; and at all such schools registers of the names, ages, &c. were kept, as well as whether the attendants were married or single. If this Return, his correspondent added, were not in the hands of the Central Committee, it could easily be procured by them from the district committees — from such towns as Blackburn, Burnley, Ashton, &c. — and would give a good idea of the percentage throughout the whole of the manufacturing districts. He understood, from private information, that the number of single women out of employment in the manufacturing districts was immense, and he suspected that it had been concealed, in order that the public might not learn the present alarming state of affairs in Lancashire. The hon. Member for Rochdale informed the House the other day that the next winter would be worse than the last, that the Bill before the House would not remedy the evil, that the savings of the people were gone, that the credit of the people was stopped, and the public subscriptions were at an end. The Chancellor of the Exchequer, when asking for the £1,500,000 to be expended under the Bill, told the House there was no present prospect of a supply of cotton from America; and he further said that next February an application would be made for a further £1,500,000 of money; but he did not add one word as to what was to become of the unemployed during the coming winter. Not only had they 318,000 persons on the books of the Poor Law Guardians; but they had an immense number of single women kept by private subscriptions from being starved to death. The money to be expended in Lancashire and Cheshire under the Bill amounted to only about £1 a head, and there was no chance of a further national subscription. Mr. Rawlinson, in his Report to the Poor Law Board, warned them that the present system was most demoralizing to the able-bodied men who were out of work. What, then, was to become of that large population if Parliament were prorogued without any further steps being taken to provide for them? It was not his wish to hold out any threat, or to utter a single word that might excite ill-feeling in the country. He had been repeatedly requested to attend meetings of operatives in Lancashire, to hear what they had to say for themselves, and had always declined. He had told them plainly, that if they broke the laws, they must take the consequences; and he repeated now from his place in Parliament what he had often said out of doors, that he was prepared to do his duty as a citizen if any violence were attempted in Yorkshire, as in 1842 and 1848. But he earnestly begged of that House, knowing as they did how nobly and how patiently the unemployed people had borne their sufferings, to take their case into consideration; for if those poor factory operatives were to remain in their present state of distress for another winter, thousands and tens of thousands of them would be sent to their graves. He, therefore, entreated that House, whatever were the consequences, to do their duty, to act honestly, mercifully, and kindly to these poor factory operatives, to give them the means to a certain extent of emigrating, to enable them to work at their daily labour, and not to keep them in a state of semi-starvation—in short, to act in such a way towards the factory operatives that the whole working population of England might feel, that when they brought their distresses before that House, they would not only be listened to patiently, but that they would meet with the redress they deserved.

Mr. C. P. VILLIERS, in reply to the remark made by the hon. Member for West Norfolk (Mr. Bentinck), begged to say, that nothing could have been further from his intention than to show a want of courtesy towards that hon. Gentleman. The fact was, he did not rise to reply to the hon. Gentleman on a former occasion because he understood that the principle of the Bill was approved of by him, and that as regarded the policy of free trade, on which he and the hon. Member for Devonport (Mr. Ferrand) had largely descanted, he collected from what fell from the hon. Member for Devonport that he intended, on an early day, to bring on a discussion on the policy of protection and free trade. He did not dispute the right of the hon. Member to adhere to his views in favour of protection; but he thought, that as time was precious, the sooner this Bill was permitted to become law the better; he would therefore proceed to answer the questions put to him by the hon. Member for West Norfolk. The first was whether he (Mr. C. P. Villiers) considered the security offered upon these loans was ample, and whether it was probable that they would be repaid. That was a matter for the Public Works Commissioners to consider, and it would be their duty not to advance any money unless it was so; but the Commissioners had already stated that the security would be ample. He had not, indeed, prepared the Bill without consulting with them on that point, and he had not, indeed, himself the least doubt that it would be adequate. He believed, that if the hon. Gentleman would only take the trouble himself to examine into the subject, he would find the security more than sufficient. The money to be advanced was never to exceed one year's assessable value of the property in the place where it was to be applied; and the district itself, where these advances would alone be applicable, included an area in which there were 2,000,000 of population, and the ratable value of the property was £5,000,000 annually. Ample powers were given by the Bill to recover the amount lent upon the rates: there would be power to levy a rate if none were made; and if the rates were not paid, the property itself could be made available for their payment: the security, therefore, was unquestionable. The next question was, whether he (Mr. C. P. Villiers) had made inquiry as to the cause of the distress, and whether he had not satisfied himself that it arose, in great measure, from overtrading on the part of the millowners; and whether, if it was caused mainly by overtrading, the Government was prepared to take some steps to prevent the recurrence of overtrading in future. He might say that he did not think it was especially his duty to inquire into the cause of the distress. His particular province was rather to satisfy himself as to the fact whether there was a great mass of our fellow-countrymen in a state requiring relief. Even if he had penetrated further, and found there was such a thing as overtrading, he should not have been prepared to say that the unemployed operatives should not be assisted. It was sufficient for him to know the proximate cause of the distress—namely, that the mills where the people used to find employment had suddenly ceased to work, or were not working full time, and which had been caused not by any fault of the people, but from the want of the raw material. But what did the hon. Member mean by overtrading? He ought to have been more explicit—he used the word as if it explained itself—but he (Mr. C. P. Villiers) hardly understood what it meant, or what the hon. Member thought it meant. Before the Civil War in America stopped the cotton supply, he could see nothing that could be objected to. The mills were all working full time, and a vast population were all in full employment in consequence; there was a great demand for labour, and good prices were paid for it; the markets at home were good, and abroad they never were better. As an invariable consequence of this state of things, the agricultural interest was prosperous, the well-employed operatives becoming, as usual, better consumers of their produce. There was no anticipation of mischief till the raw cotton ceased to arrive in the quantity and at the price it had done; when, of course, from the prices rising, the markets were everywhere affected, and the consumption of goods diminished. What, then, was meant by overtrading? The hon. Gentleman always seemed to have in view some body or corporation of men whom he did not like, and who he thought were doing all the mischief. He (Mr. C. P. Villiers) believed he meant the millowners. They seemed to the hon. Member to be the incarnation of mischief. They were always doing something rash or oppressive. They never seemed to be conducting their business to the hon. Member's satisfaction. What were the hon. Gentleman's opinions about trade? If the merchant gave the manufacturer an order, was he to refuse to execute it for fear of overtrading? He (Mr. C. P. Villiers) had heard the expression used before now in relation to agriculture. Sometimes it was that there had been too much corn grown, and that food was too cheap; and sometimes that there had been too much game preserved, which possibly might be the case. For his (Mr. C. P. Villiers') own part, he disbelieved in much that was said about this overtrading. He saw no proof of it. The only cause of the distress was the absence of the raw material; and when it was again imported in sufficient quantity, the trade would revive. He looked forward to its revival. He should not object to a revival of what the hon. Gentleman called overtrading, if it was attended with the same prosperity as before. The third question asked of him was whether this was to be a permanent source of relief. It was never intended to be permanent; it was simply a temporary measure intended to meet a temporary distress; it was not introduced to put an end to the distress, but to mitigate it, and he hoped it would prove successful. With respect to the relief the measure might afford, there was some uncertainty in the mind of the hon. Member for Devonport (Mr. Ferrand), who was, however, not quite consistent in his criticism. The burden of his speech was that they had not done enough in the measure, but yet he had said on several occasions that he was satisfied the Bill would be inoperative, and that the money would not be employed. He (Mr. Ferrand) wished that money might be granted for emigration, and said that not half the amount proposed to be lent would be taken up for works. There might be a difference of opinion on the subject; but taking the views of gentlemen well entitled to confidence, he (Mr. C. P. Villiers) thought it more likely that the whole of the money would be applied for to execute works, and that a great number of operatives would be employed. That very day he had received an intimation from the town of Blackburn that they intended to apply for £104,000, to carry out works which had been long needed, and which would give great employment to unskilled labour; and that was only one town in a district comprising twenty-seven unions, and containing a population of two millions. If the hon. Gentleman had wanted to complain of something, and had said that the whole of the money would be speedily used up, and that there would not be enough, he would have been nearer the mark. The hon. Gentleman had spoken of what work the operatives would undertake, and what they would not undertake; but there was reason to believe that they would readily engage in the work in question, and that though somewhat rougher than that which they had been used to, a great many would be employed. The hon. Member for Devonport sought to impute to him some inaccuracy as to the number of persons who would find employment. Now, he could, of course, give no accurate calculation of that number; all he could give was the opinion of competent authorities, who, having looked at the state of the towns of Lancashire, and ascertained what works were positively required for health and convenience of the inhabitants there, came to the conclusion that enough might be advantageously done to find employment for every operative out of employment. But if only a certain number would be employed on these works, others would seek work out of the district, and he believed that at once their labour would be much needed for the coming harvest. At present, the number of the unemployed was decreasing. About 4,000 a week had been taken off the lists lately and got into employment; and when perhaps it was seen, as he firmly believed it would be, that the people were willing and able to work, whether in the street or in the field, he hoped and believed that some of the proprietors would carry out operations in drainage and other improvements which were much required to give their property additional value, and afford work for the unemployed. That would account for a very large number. The hon. Member for Devonport had tried to alarm them; he had not exactly threatened, but warned the Home Secretary about what might occur in the winter if some greater provision were not made, he seems to be expecting that the peace will be broken. He did not know what people might say under excitement and the influence of inflammatory addresses; but as for there not being sufficient funds to keep the people from starving, he ventured to say that there was no ground whatever for that apprehension. This was not the only measure by which the distress was to be met. He meant also to propose the continuance of the Act enabling the guardians of the poor to borrow money if the rates exceeded three shillings in the pound. Again, there was no limit to the charge which the guardians might make upon the common fund of the union, for purposes of emigration, if they thought proper to resort to that mode of relief; and it was also known that there was a large balance remaining from the contributions of all parts of the country. There was, therefore, not the smallest ground for alarming the people as to the existence of means for their support. The great object was that they should be supported by wages rather than by alms, and he believed that he was proposing a measure by which that would be done. It was far better, in his opinion, that work should be procured for them here, and if possible in their own neighbourhood, and that would also be more economical, than sending poor creatures out to Colonies of which they knew nothing themselves, and of which some of their friends did not know much more. He had never said that this Bill would do more than remedy a portion of the evil; but he trusted that if the House would now allow the experiment to be made, it would realize the favourable expectations which had been formed of it.

Mr. FERRAND explained that he had not made a single statement, except upon the authority of Mr. Farnall, and therefore it was most unfair for the right hon. Gentleman to charge him with making alarming representations.

Sir HENRY WILLOUGHBY said, he gladly assented to the principle of the Bill. It proposed to give the operatives work and not the workhouse. He remembered asking the Government of the day, when the New Poor Law Act was under discussion in that House, whether it was meant, that if distress should at any time fall upon the manufacturing districts, the operatives must go inside the workhouse before they could get relief, and the answer given was that such was the intention of the measure. He was glad to find that that rule was not, in the present case, to be adhered to. He did not object to the present Bill, but it behoved them to see that it was accompanied by proper safeguards. Among other precautions which it was desirable to adopt for the due repayment of these loans, he thought there ought to be a clear and separate account kept of these transactions. He regretted that there was no provision to that effect in the Bill. Again, the chief responsibility for granting these loans and carrying out the Bill ought, in his opinion, to rest with the Finance Minister. The Poor Law Board was too often mentioned in the measure, and it was something new to trust that Department with the handling of the money of the nation. He thought the various relief committees in Lancashire had done their work admirably; yet he hoped they would take care not to interfere with the organized bodies of the country, otherwise they might paralyse the action of the boards of guardians and other local boards. He did not think the Bill placed the security for the loans quite so clearly as it ought to do. It was put alternatively upon the rates or the property. It should, in his opinion, be upon both the rates and the property; otherwise, if the rates fell through, the public might lose the foundation of its security for repayment. Another important point was, that the measure introduced the novel and somewhat dangerous principle of lending money to private individuals for private improvements. He wished to know, therefore, whether the local boards were to give the first security, and the private persons to whom the money was lent to give the second security. He thought that ought to be the case, because great caution was needed in this matter. If the capital of the nation was to be advanced for such works, every care ought to be taken to guard the nation against loss.

The CHANCELLOR of the EXCHEQUER said, it was quite true that the Bill contemplated, very wisely, as he thought, large grants of outdoor relief for the people of Lancashire. It would have been a great misfortune, in his opinion, not only to Lancashire, but to the country at large, if an emergency like the present, requiring to be met by a great deal of outdoor relief, had occurred at a time when the new Poor Law Act was passed—a time when the people had been demoralized by a vicious system, and when the application of a stringent corrective was necessary. Now, however, that the principles of that measure had been well established, and were thoroughly understood in the country, relaxations of those principles, under great pressure, which might before have been dangerous, might now very well be both wise and safe. With regard to the accounts connected with pecuniary transactions, the Government had two objects to keep in view—first, that any transactions of the kind proposed should be carried out in the most economical manner; and secondly, that all the information connected with them should at all times be at the command of Parliament. The Government did not propose to commence by contracting any loan whatever, for, like the Vote for fortifications, proposed three years previously by his noble Friend, the whole charge would be thrown, in the first instance, upon the Consolidated Fund, and the loan would only be taken to replenish the Consolidated Fund when it had been too largely drawn upon by draughts for Lancashire. He was sure his hon. Friend (Sir Henry Willoughby) did not wish the Government to go into the market for money which they did not want, or until they had ascertained that the public balances would be insufficient. Separate accounts would be kept of the advances, and it would, therefore, be competent for any hon. Member of Parliament to obtain all the information he thought fit, regarding the application and payment of the money. The hon. Baronet thought there was one usurpation on the part of the Poor Law Board of the functions of the Treasury. In point of fact, there was a combination of several authorities under the Bill. The Treasury had to satisfy itself of the general wisdom of the proposal, and the Poor Law Board to regulate the details and method of its application. After the Treasury had given its assent, the most important portion of the financial duties would devolve upon the Exchequer Loan Commissioners, and the House, he was sure, would continue in the hands of that body the duties which they had discharged with so much prudence and advantage for the last thirty or forty years. It would be satisfactory to the hon. Baronet to know, that as far as the Government was concerned, the security was really upon rates and property. The local Boards were responsible to the Government for the entire amount, although, as between them and private individuals, there might be a different understanding.

Mr. KNIGHTLEY said, he did not think the discussion one of a very practical character; but as it merely had the effect of deferring another discussion, initiated with a view of robbing the Irish Church, he was not disposed very strongly to object to it. The right hon. Gentleman the President of the Poor Law Board, he thought, had rather misrepresented the observations of his hon. Friend the Member for West Norfolk. His hon. Friend was sceptical, not about the ability of Lancashire to repay the loan, but about her willingness to do so. A few years ago large sums were advanced for the relief of Irish distress. No one doubted the ability of the Irish proprietors to repay those advances, but they preferred not to do so, and the House remitted the debt. If the House agreed to grant small loans, larger ones would be asked for; and he feared that the precedent of the Irish loan would be remembered and acted on in Lancashire. [Colonel Wilson Patten: No, no!] His hon. Friend said "No, no!" Borrowers always said that, but he entertained a different opinion. The right hon. Gentleman asked what was meant by over-trading. The answer to that question was exceedingly easy. The manufacturers had glutted the market by providing a far greater quantity of cotton goods than they could reasonably suppose would be sold; and if the cessation of the cotton supply had not taken place, there must have been a crisis. The same results took place in agricultural operations when a greater amount was expended on the production of crops than the return which they could be expected to yield.

Mr. SCULLY said, the hon. Gentleman opposite was mistaken in supposing there was any intention to "rob the Irish Church." The Irish Church had been robbed long ago, and it was only the English garrison in Ireland that was undergoing revision. The hon. Gentleman, not satisfied with that erroneous assertion, also had a fling at Irish distress. But if a loan of £1,200,000 or £1,500,000 had been proposed for Ireland, all sorts of lectures would have been delivered about Irish jobs. It was true that six millions were sent to Ireland, but that amount had been more than repaid. Ireland suffered to the extent of six times six millions by the repeal of the Corn Laws, and during the famine years she had to pay fancy prices for the Indian meal and breadstuffs sent into that country. Their Lancashire Chancellor of the Exchequer talked a great deal about remitting the Consolidated Annuities, but he had taken good care to repay himself fivefold by his handling of the income tax. He (Mr. Scully) had no objection to grant any assistance to Lancashire which might be required. He would rather give five times the amount which was asked for than throw away money on that great job at the West End which was being perpetrated in the interests of the aristocratic classes. But there was no check upon expenditure. Parliament had degenerated into a debating club on foreign affairs—and a miserable debating club into the bargain. It discussed everything, and did nothing. Why was nothing done for Ireland? Because there were no Irish representatives in the Government. There were Lancashire men in the Cabinet who felt and acknowledged the distress. But Ireland had a Chief Secretary who knew nothing of the country and cared less, who contradicted all the evidence of distress in it, and who did his best to add insult to the misfortunes of Ireland. He, for one, had no wish to rob the Irish Church; it was such a hideous scandal that it was the interest of Irish Roman Catholic Members to keep it. The Lancashire weavers were unfit for emigration; and if it were to be tried, it should be in Ireland. They were all agreed in that, except right hon. Gentlemen on the front row on that side of the House, and the sooner they were removed the better.

Amendments made.

Bill to be read 3° *To-morrow.*

SUPPLY—REPORT.
SEIZURE OF BRITISH VESSELS.
PAPERS MOVED FOR.

Resolutions *reported.*

Motion made, and Question proposed, "That the said Resolutions be now read a second time."

MR. PEACOCKE said, he rose, pursuant to notice, to call attention to the stoppage of the trade between Great Britain and Matamoras. He wished to call the attention of the Government to the repeated seizure of British vessels by American cruisers, and the decisions of the American Prize Courts upon those seizures. He hoped to be able to elicit from the hon. and learned Solicitor General a definition of what British merchants said they had not been able to elicit from the Foreign Office—a definition of what the Government considered to be legal and lawful traffic. Free *pratique*, as he understood it, was when a vessel, without any relation to the nature of her cargo, was going from one neutral port to another neutral port, under a neutral flag, and *bonâ fide* shaping her course to the port to which she was destined. He believed that that was so clear and unquestioned a principle of international law that he should not have thought it necessary to call attention to the subject, but for the extraordinary language used by the Foreign Minister in another place. Earl Russell on the 26th of April last said—

> "It may be that complaints have been made in this country which are not without foundation; it may be that United States officers have not observed these rules, but have gone beyond the directions that they have received; it may be that they have seized vessels that were really going to Matamoras or some neutral port without sufficient evidence that the cargo was of a contraband character."

He (Mr. Peacocke) repeated that no neutral vessels sailing from one neutral port to another were liable to be captured, whatever the nature of their cargo might be. They were only liable to be captured if their papers were fictitious, and if the neutral port described as the port of destination was not the real one. If he understood the noble Earl, however, the position of the Government was that they could not enter into the particular case of each individual vessel, but that each case must rest on its own merits, and be decided by the American Prize Courts. It was therefore the duty of the House to see how the law was administered in those courts. He confessed that he greatly distrusted these Prize Courts as they were at that time constituted; and when he had stated the facts of one or two cases, the House would, he thought, consider that he had grounds for his distrust. He would first take the case of the *Adela*. The *Adela* belonged to a Liverpool firm. She was seized and taken before the Prize Court at Key West. The Judge asked both sides if they would appeal. They said they would. He then said, that though there was no case, he should send it to a higher tribunal, and so condemned the vessel, after having detained it nine months and opened the mail-bags and letters. He (Mr. Peacocke) had been informed that those facts had been verified before a public notary, and a copy of the statement sent to the Foreign Office. In the case of the *Pearl* all the ship's papers were in order, and there was no ground of suspicion to justify the detention. The Federal officer who boarded the ship and inspected her papers declared to the captain that the same were in due order, that he should hoist a signal for him to proceed, instead of which, after returning to the *Tioga*, a crew was sent on board which took possession and conveyed the *Pearl* to Key West, the captain and crew being kept under restraint for three weeks, and not permitted to communicate with the shore. They were then taken and separately examined before the Prize Commissioner, and the pilot, on his arrival at Nassau, stated that he was offered 600 dollars if he would swear that he saw a Confederate flag on board the *Pearl*. The case was brought before the Prize Court at Key West, when the Judge refused to adjudicate for want of sufficient evidence to condemn the vessel, and the mate and portion of the crew, at that time in Liverpool, would affirm that he openly stated that there was no case against the vessel, though it would be better for the Federal Government to pay double the value for her, as she was so fine a vessel. The master and crew were all turned out of the vessel, and she was left at Key West without any one in charge to keep the machinery from injury, which would suffer very material damage. Had the vessel arrived in Nassau in due course, she could have been sold for a large sum. The House might wonder why the Federal Government were so anxious to keep the *Pearl*. The reason was because she was the swiftest vessel in the Clyde, and could make twenty knots an hour. The statement made by Messrs. Johnson, her owners, in regard to the *Pearl* was borne out by the proceedings before the Prize Court itself. He would not trouble the House by reading the whole of the judgment, but he would call attention to one portion of it. The Judge said—

> "It does seem to me that the testimony as it stands, taking all the facts together, does raise a very strong presumption that the owner was sending out this vessel to Nassau with the settled purpose that she should be employed in running between that port and the ports of Charleston and Wilmington, in violation of the blockade. There is not a fact or a tittle of testimony in the case to rebut that presumption. But the vessel being captured when really going from one neutral port to another, I am unwilling to pass a decree of condemnation without giving to the claimant the time and all the facilities he may desire to produce evidence to rebut the powerful presumptions against him. He has it in his power, if innocent, to clear up the whole matter by his own oath and by the oaths of others connected with the contemplated business of this vessel. If she was going out to Nassau for an innocent and lawful purpose, he can show it. He can state on oath and show what trade or business he intended she should be engaged in."

Now he (Mr. Peacocke) wished to ask whether it was not introducing a new principle that a vessel should be condemned upon what the Judge acknowledged to be not conclusive but only strong presumptive evidence, and that the defendant should be called upon to prove a negative, or run the risk of his vessel being condemned. He now came to the case of the *Dolphin*, and to the extraordinary law which was laid down by the Judge of the Prize Court in her case. The Judge said—

> "Now, it is hardly creditable that this vessel was to end her voyage at Nassau. For what was she going, and how was she to be employed there? It is not suggested that she was going there for sale. Was she to be employed in making short voyages suited to her capacity to and from blockaded ports, in like manner as so many or all the other steamers of about her size which have lately come out from England to Nassau have been employed in making until captured? Except such voyages, it would be difficult to think of any trade she could engage in at Nassau or at any other port in the West Indies by which she could defray the expenses of running. What was to be done with the cargo?

He (Mr. Peacocke) wished to call the attention of the hon. and learned Solicitor General to that question, and to ask whether a vessel could be condemned on the destination and nature of its cargo—

> "It was to be delivered to Chambers and Karr. But what were they to do with it? Nassau furnishes no market for any such cargo as this. It is a small town; the adjacent islands possess but a small population dependent on it for supplies. Probably not three merchant steamers ever arrived at that port from any part of the world until after the present blockade was established, except the regular Government mail steamers. Was her cargo to be sold in Nassau, including the 920 rifles and the 2,240 swords? These are questions which it is not unreasonable that a Prize Court should ask, and expect some reasonable solution of, in a case like this."

Such were the principles upon which that vessel was condemned. There was no evidence that those vessels were going to run the blockade; they might have been going to sell their contraband of war elsewhere—to Mexico, for instance, or to the South American States, where hostilities were being carried on. The Judge went on to say—

> "But there was a third letter, which was not intended to be shown to the cruisers, dated four days later, and addressed to Messrs. Chambers and Karr. Its contents were probably unknown to the master; for had he known the contents, it is quite likely it would not have fallen into the hands of the captors. It reads as follows:—
>
> 'Per steamer Dolphin.
>
> 'Liverpool, Feb. 10.
>
> 'Messrs. Chambers and Karr, Nassau.
>
> 'Dear Sirs,—I addressed you on the 6th of February, for a certain reason. I now beg to cancel those instructions entirely, and, of course, my vessel is not to be sold to any one. I shall be sending you a power of attorney for certain purposes by next mail this week. I hope you will be able to get some more goods on, instead of taking any off at good rates.
>
> I am, dear Sir, yours truly,
>
> 'W. J. Grazebrook.
>
> 'P.S.—I send various letters to forward.'
>
> So it appears that Mr. Grazebrook did not intend that his vessel should be sold at Nassau, nor that she should end her voyage there. She was to go from Nassau somewhere. More goods were to be put on instead of taking any off. The studied effort to conceal the ulterior destination, the swords and rifles found on board and denominated in the freight list 'hardware'"—just as if the United States herself did not always do something of the kind—"the almost certain impossibility of employing a steamer of this class and size in any trade in this part of the world by which she could earn her expenses even, other than in the trade and business of violating the blockade, all point with unerring certainty to Charleston or Wilmington as the ulterior destination of the vessel and cargo. Condemnation of the ship and cargo follow of course."

Well, the condemnation of the ship and the cargo followed. Now, he would ask the hon. and learned Gentleman what evidence there was on the face of that judgment that that vessel was intended to run the blockade. She might have been intended for some other places where war was being carried on. The House would see, when law of that kind was administered by the Prize Courts of the United States, what distrust of those Courts must prevail in the mercantile world. There could be no better touchstone of that feeling than the rates of insurance at Lloyd's; and when they found those rates raised from two to twenty guineas, he thought it showed the amount of confidence which the Prize Courts of the United States inspired, and also the degree of confidence inspired by the vigorous action of Her Majesty's Government in guarding the interests of the commerce of this country. He had been assured by an eminent mercantile firm who had recently had to insure £10,000 on a steam vessel, that, in addition to the ordinary risk, they had to pay a further war risk of six guineas, although the ship was going to a neutral port and their goods were warranted British goods and not contraband of war—to such a condition had the conduct of Her Majesty's Government depressed the trade of this country. Under those circumstances, the House would not be surprised to learn that the trade of this country was being transferred to other Powers. They found from a letter addressed by Earl Russell to Mr. Adams how much better Spanish and Danish vessels were treated by the United States Government than our own. Earl Russell, writing to Mr. Adams on the 19th of April 1862, says—

> "The course taken by the United States Government in the case of the Labuan is all the more to be regretted, since it appears from papers which have been communicated to Congress that in the case of two neutral vessels, the one a Spanish the other a Danish ship, which had been unjustifiably captured, the United States Government has not only released such vessels without sending them before a Prize Court, but has also consented to pay compensation to those interested therein."

Mr. Adams did not contradict that statement. Quite the contrary; he admitted it. He says—

> "It comes presented to me in so many forms of evidence that I cannot avoid the painful conviction that a systematic plan, founded on the intent to annul Her Majesty's Proclamation by steady efforts to violate the blockade, through vessels either actually British or else sailing under British colours, has been in operation in this island for many months, and becomes more rather than less extensive with the progress of time. If, therefore, it happens that a Spanish or a Danish ship, when seized, is more readily released than a British ship, the reason must be found not in any disposition to be more partial to those nations, so much as in the fact that they have been incomparably less involved in the suspicion of attempting illegitimate methods of trade."

If the case rested upon that admission of the American Minister, it would be very strong; but he (Mr. Peacocke) would call attention to an Act of Congress passed in the year 1862-3, cap. 86, section 1—

> "Be it enacted, &c., That whenever any prize property shall be condemned in any district or circuit court, or shall at any stage of the proceedings, be found by the court to be perishing, perishable, or liable to deteriorate or depreciate, or whenever the costs of keeping the same shall be disproportionate to its value . . . . it shall be the duty of the Court to order a sale thereof, and no appeal shall operate to prevent the making or execution of such order."

THE SOLICITOR GENERAL: That is the law in this country also.

MR. PEACOCKE said, that might be, but the Act he had quoted allowed the district Judges to decide in those cases; and as in many of them the goods were contraband of war, and what the Americans stood most in need of, they had a direct interest in selling articles of that kind in such a place as Key West, where no possible competition could exist, at prices ruinous to the owners and most advantageous to themselves. There was but one way of proceeding in such cases, and that was by enforcing against the American Government very heavy damages. But he was surprised to find that Her Majesty's Government had *in limine* utterly repudiated the doctrine of damages. In the case of the *Magicienne*, which even an American Prize Court could not condemn, the owners claimed £500 damages for the seizure, which was pronounced by the Court of Key West to be illegal, and their total claim for seizure, loss of time, stores consumed, &c., was £2,220. But, in a letter from the Foreign Office, signed by Mr. Hammond, the owners were informed that Earl Russell

> "cannot instruct Lord Lyons to put forward, on your behalf, a claim for £500 as 'damages for the seizure of the vessel;' neither can his Lordship instruct Lord Lyons to claim on account of demurrage (under which term would be included the wages of the men, their provisions, and the loss of interest to the owners) more than £161, with the addition of £65 for stores consumed by the prize crew, making in the whole £226."

The Foreign Office, therefore, distinctly repudiated the doctrine of damages. The hon. Member for Southwark (Mr. Layard) also the other evening stated that the British Government would not attempt to enforce damages against the United States. Having proved to the House that by reason of an Act of Congress the cargoes of vessels not yet adjudicated on were placed at the absolute mercy of the Judge of a local court, that the Government of the United States had a direct interest in the sale of the cargoes at prices ruinous to the shipping merchants, that the only check for these proceedings was the enforcement of damages against the Government of the United States, and that Her Majesty's Government totally repudiated that doctrine of damages, he thought that he had shown enough to convince the House, the natural guardian of the interests of British merchants and of the honour of the English flag, that they ought to watch with a vigilant and jealous eye the acts of the American Government.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "there be laid before this House, any Papers which Her Majesty's Government may have received from the British Consul at Key West, or from elsewhere, touching the proceedings of American Prize Courts,"—(*Mr. Peacocke,*)

—instead thereof.

THE SOLICITOR GENERAL said, that if the hon. Member had moved for papers connected with the case of any particular ship, Her Majesty's Government would willingly have considered how far such papers could without inconvenience be produced during pending communications; but when a Motion in terms so general as that of the hon. Member was made, it would be quite impossible for the Government to accede to it without interfering in the most inconvenient way with existing negotiations. The hon. Gentleman commenced his observations by referring to a passage in one of Earl Russell's speeches, in which the noble Lord spoke of a case of contraband as a case which might be a ground of seizure, though the ship was ostensibly bound to Matamoras, or a port of that description. The hon. Gentleman appeared to think, that according to the existing law of nations, there could be no sufficient ground for taking and adjudicating upon a ship having an apparent destination, according to its papers, to Matamoras. The hon. Gentleman seemed not to be entirely aware of the precise position of the port of Matamoras, and it was essentially necessary, in order to understand the bearing of all these questions which they repeatedly heard about the trade of Matamoras, that they should know what the position of Matamoras was. It was a frontier town in Mexico, lying on one side of the river, on the other side of which was Texas. A ship putting into the river of Matamoras, and lying in the river roadstead, would, in consequence of the state of the tide and wind, be constantly obliged to lie on the Texan side. It was perfectly clear that the crew of such a ship, having the destination of Matamoras in its papers, would, if they had any instructions to land their cargoes, whether consisting of arms or other descriptions of contraband articles, whenever opportunity occurred, on the Texan side of the river, have great facilities for obeying their orders. At the same time, when there was nothing in the ship's papers to show that it was intended as a matter of course to land the goods on the Texan side of the river, it was perfectly impossible to say that the contraband on board the ship bound to the river Matamoras was not intended for the neutral side. The doctrine of law was, that if it was intended to land the cargo on the neutral side, and even if the cargo might afterwards by other means find its way to the Confederate States in the course of trade, that could be no ground for confiscating the vessel which originally brought it. That, however, was a doctrine admitted most distinctly by the Prize Courts of the United States, in which the hon. Gentleman had so little confidence. They had had up to that time no proof of the bad faith of those Courts, while in one case the good faith of the Prize Courts of the United States was distinctly shown—the case of the *Will-o'-the-Wisp*. That ship was lying in the port of Matamoras in the American waters. She was taken because it was found that munitions of war, powder and arms, were being discharged from the ship. They were, however, discharged into a lighter sent from the Mexican side, and the evident presumption consequently was that they were intended to be landed on the Mexican side. The captain prevaricated grossly, and that circumstance, according to prize law, was sufficient to place the ship in great danger. Another thing was that the gunpowder was concealed, and that led to the suspicion that it was meant that the powder, after being landed at Matamoras, should find its way across the border. Nevertheless, the Prize Court acquitted the vessel and released her. It was perfectly true that the Prize Court did not give costs and damages, and that was one of the matters to which the hon. Gentleman objected. All he could say was, that as far as damages were concerned, there never was a case of that kind where the suspicion was so great in which costs and damages had been given by the English Courts; and therefore, if the English Government were to insist on damages in such a case, they would be laying down a rule never acted upon by Lord Stowell under similar circumstances. Of course, it was very easy for persons on this side of the water to apply to the House of Commons without first carrying their case to that tribunal to which, by the law of nations, recourse should first be had. If a Prize Court gave a sentence not acquiesced in by the interested parties, the next course was to go to the Court of Appeal; and after that the Government of the neutral country might consider whether there was apparent injustice in the sentence pronounced; and in such case only was it consistent with the law of nations for the neutral Government to interfere. The Court of Appeal in America was the Supreme Court, which held a very high rank indeed, both for learning and impartiality, in the opinion of the world. He must remind the hon. Member, that among other inconveniences incident to a discussion like that in which they were engaged, there was the risk that he might, if the facts were within his knowledge, give utterance to statements prejudicial to cases under investigation, and with respect to which there existed the right of appeal.

It was right that the House should know that the mode of procedure in Prize Courts was the same in America as in this country, the American system being, in fact, borrowed from England. Not long after the Declaration of Independence the American authorities received from Lord Stowell a description of the practice pursued in the English Prize Courts, and that practice had been adhered to by the Americans ever since. It gave, in the first instance, great advantage to the ship, for the evidence, in the first place, must be obtained from the ship. The papers on board, and the statements of the officers and crew, were the only evidence on which the ship could be brought before a Prize Court; and if there was not in the ship's papers matter to raise a *primâ facie* case against her, no collateral evidence would be received, and she would be acquitted. On the other hand, as a sort of counterpoise to the advantage he had just mentioned, the usage prevailed, that if there were discovered on board the ship any circumstances of a grossly suspicious character, raising a strong presumption that there was something wrong, something disguised or irregular, the Judge was entitled to ask further proof from the ship to negative that presumption; and, if it were not produced, to condemn it. And more than that, in some cases where the circumstances were very much against the character of the vessel, the Judge might even proceed to condemn without hearing further evidence. That was undoubtedly the practice of Lord Stowell throughout the war, and the Reports of proceedings in the Prize Courts abounded with proofs of it. Therefore, when the hon. Member said, that in those cases where the evidence must be derived from the ship or her crew it ought to be as direct and conclusive as was required in other ships, he submitted a proposition which, however plausible it might sound, was entirely opposed to the practice in the Prize Courts of this country. Evidence not direct and conclusive in the ordinary sense, had been accepted in this country during the last war, as sufficient to invert the *onus probandi*, and to throw on the ship the necessity of exonerating herself by evidence, at the penalty of being condemned if such evidence was not forthcoming. Even when the ship, complying with that condition, did clear herself from the suspicious circumstances, yet it had been held that the very existence of those circumstances was enough to justify the capture and detention of the ship, and to deprive her of any claim to costs and damages.

He did not intend to enter into the question of this or that ship, because, as he said before, if he were to accept what the hon. Gentleman had said, he would be accepting an *ex parte* statement; while, on the other hand, if he were to mention anything to the contrary, he would be prejudicing the case of the owners before the legal tribunal. He would therefore make only a few general observations on some of the cases, without going into details. And first, as to the case of the *Adela*. That was, he believed, the only case in which a judgment had been given which was open to exception. All that they knew about the case was, that the Judge, in condemning the ship, did not give his reasons for that decision. It had been said that the Judge had himself stated that there was no case against the ship, but that nevertheless he was determined to condemn her; and if that were established, it would be, of course, a very important circumstance. At present, however, it required confirmation. It appeared, however, (and this looked very like an arrangement between the parties,) that an order in that case was made by consent for the sale of the ship pending the appeal; and that circumstance led him to doubt the correctness of the representations made to the hon. Gentleman. It was, he owned, to be regretted that no reasons were given for the judgment. That was not a commendable practice; but when they were dealing with international law, it was impossible to plead as a violation of that law that which, he was sorry to say, had happened in the Prize Courts of all nations from time to time. The cause of no reasons being given might be because the case was already so clear as not to require them, or because the Judge, knowing there was to be an appeal, was unwilling to assist it by any statement of the grounds of his decision. Until they had seen the evidence—and it was not yet before them—they could not say that there was no case. It might turn out that the judgment was perfectly justifiable.

With regard to the *Pearl,* the Judge held that the testimony raised a strong presumption that the vessel was intended by the owners only to touch at Nassau and then go on to break the blockade at Charleston. Now, if the owners imagined that the mere fact of the vessel touching at Nassau, when on such an expedition, exonerated her, they were very much mistaken. Whether the Judge was right or wrong in his view of the evidence, he would not discuss. He had not the means of doing so, and, even if he had, he would not avail himself of them. The next case mentioned by the hon. Gentleman was the *Dolphin.* On board of that ship was found a large quantity of arms, which were entered, not as such, but as "hardware." She was consigned to a firm at Nassau, but a letter was discovered on board which was deemed by the Prize Court to mean that the owners did not wish the cargo to be landed at Nassau; that they would, in fact, prefer that something should be added to it rather than anything taken from it; and it was supposed that the letter contained an indication of a destination which was not avowed. The court held that there was a fair and sufficient presumption that the destination was either to a blockaded port or to some other port of the Confederate States, for the purpose of introducing contraband. With regard to that case, again, he would not go into the evidence. He would only say that the principles of the judgment were to be found in every volume of Lord Stowell's decisions. If the view of the Judge were borne out by the evidence, it was impossible to say that the case of the *Dolphin* was not a case which must be left once and for all to the consideration of the Prize Courts of the United States.

The hon. Gentleman also complained of the high rate of insurance on British vessels going to Nassau. Now, it was well known to everybody that there was a large contraband trade between this country and America by way of Nassau, and it was absurd to pretend to shut their eyes to it. There were many vessels which went there on legitimate trade, but then there were many which were engaged in illegitimate enterprises, and it was not at all surprising that the rate of insurance should be raised. He was rather astonished that any surprise should be expressed at the fact. The insurers probably knew better than other people what was the destination of the vessels, and what cargoes they carried. If the ships were perfectly clear and innocent of anything that was liable to just condemnation, although it might happen now and then that one was taken for adjudication on improper grounds, yet as a general rule the terms of insurance would not be affected to the degree which had happened. The trade with Nassau and Matamoras had become what it was in consequence of the war. Although part of it was conducted on the safe side of the law, yet the fact that part of it was also conducted on the other side influenced the repute and risks of the whole trade. As the trade was almost entirely in the hands of their countrymen, it was not unnatural that British ships were not insured on such easy terms as those of other nations which were not engaged in the traffic. The Act of Congress as to the sale, without condemnation, of a ship supposed to be liable to detention, to which reference had been made, was the same as the law of this country. It might, however, be some consolation to hon. Members to know that in one instance, when the Government of the United States wished to possess itself of an uncondemned vessel for its own convenience, the Prize Court interfered, and would not allow it to be sold. The hon. Gentleman had concluded with the extraordinary statement that Her Majesty's Government repudiated the doctrine of damages. Her Majesty's Government did no such thing. When owners had represented that their ships had been seized without warrant, Her Majesty's Government had invariably informed the Government of the United States, that if such should turn out to be the case, they would expect that full compensation in the shape of damages would be made. But the hon. Member had mentioned two cases, in one of which damages only to a small amount—some £156—were obtained, while in the other none were got at all. The reason was, because it would have been unwise and undignified for Her Majesty's Government to insist diplomatically upon that which they knew they were not likely to get, and which they also knew they could not demand consistently with the practice of their own courts under similar circumstances. When a ship had been brought into court under circumstances of strong suspicion—by which he meant suspicion excited by its own papers, or by the depositions of its own officers and crew—it had always been the practice of the courts of this country, in their discretion, to refuse both costs and damages. A case in which there was no disguise, no prevarication, nothing to justify the seizure, would be a case in which exemplary damages ought to be given, or at least claimed by Her Majesty's Government; but to demand damages where the captain prevaricated as in one instance, or where articles of a contraband character were found on board as in another, would be to say that Her Majesty's Government should insist upon other countries doing to them what they never did to other countries, and what they would not concede if demanded from them. The principle upon which Her Majesty's Government had acted was this—to endeavour strictly to apply against themselves and in favour of the United States those same principles of law which they applied against other nations and in favour of themselves in former times. The code was certainly severe enough, but they ought not to relax it in their own favour as neutrals, its severity having arisen from the decisions of their own courts at a time of war in which they were engaged as principals, especially as the United States had followed the law of England to the letter, and embodied it into their own.

LORD ROBERT CECIL said, he could not understand why the hon. and learned Gentleman had entered so largely into the case of Matamoras, because the hon. Member for Maldon had abstained from any mention of that port. Probably, the hon. and learned Gentleman had a speech ready on the subject of Matamoras, and did not care to address the House on two occasions. For his own part, he should not follow the hon. and learned Gentleman into that matter, but should confine himself to much more damaging cases against the American Government, and against the English Foreign Secretary, and the Law Officers who pleaded the cause of the American Government — namely, the cases of the *Dolphin* and the *Pearl*. Prize Courts, where the captor was at once plaintiff and judge, had always been watched with wise and suspicious vigilance; but the American Courts were not free from circumstances of suspicion attaching to them peculiarly. It might be that in old times Judges had sat on the American bench who enjoyed a world-wide reputation, but within the last two or three years the American tribunals had delivered their judgments under the pressure of fixed bayonets. The Supreme Court of America, which the Solicitor General had praised so highly, two years ago was applied to for the purpose of enforcing the provisions of the American Constitution; but the Judges were unable to pronounce the judgment which their consciences would have prompted them to deliver, because the soldiers of President Lincoln appearing at their doors in arms so terrified them, that they perverted the law to suit the design of the Executive. What they had done against their fellow-countrymen he believed they were equally ready to do against foreigners. In the case of Don Pacifico Lord Palmerston refused to wait for the decision of the Greek Courts, because, as then constituted, justice could not be expected from them. The same principle must be applied to the American Courts, which were notoriously acting under the pressure of military force. It was to be remarked that the hon. and learned Solicitor General had flinched from the statement of international law, to which the hon. Member for Maldon invited him. No person could doubt that the Americans were taking an unfair advantage of our indulgence. In itself, the blockade was a thing which, considering the obligations of the Treaty of Paris, the world could never have expected to see again. About 40 per cent of the vessels which tried to run the blockade succeeded in doing so, and yet the doctrine laid down by the Protocol of Paris, which was assented to by the American Government, was that no blockade was to be held good unless there was a force sufficient effectually to prevent access. The blockade was kept up mainly owing to the ingenious special pleading of the Solicitor General two years ago. But his chief complaint was that the American Prize Courts were not only unjust in the case of single ships, but they made two tremendous strides in their interpretation of international law. First, they laid it down that it was lawful for their cruisers to make prizes of the vessels of peaceful traders. The law laid down by the hon. and learned Gentleman was no doubt correct, that a vessel which merely made an ostensible visit to a neutral port did not thereby put an end to the continuity of its voyage. But the American Courts said, that if a vessel left England and went to a neutral port, and if in that neutral port the vessel were sold, the cargo unladen, and the crew paid off, and the vessel subsequently used for running the blockade, or rather if these things were intended to be done—then they said their cruisers might seize the vessel and sell her. Something very like that had been laid down in the following passage in the decision in the case of the *Pearl* :—

> "I think the law is, that if an owner sends his vessel to a neutral port with a settled intention to commence from such port a series of voyages to a blockaded port, he thereby commences to violate the blockade, and subjects his vessel to capture, notwithstanding he may also intend to unload the vessel at the neutral port, discharge the crew, and give all other external manifestations of an intention to end the voyage at such port."

That was a new doctrine in international law, and he defied the Solicitor General to find a case from Lord Stowell to justify any such proceeding. The whole trade of England would be prejudicially subjected to assumptions based on that principle. Nassau was as much part of the British Empire as London, and they might as well stop a ship coming from Calcutta to London as a vessel sailing from London to Nassau. The doctrine was not affected by the fact that Nassau was a port conveniently situated for running the blockade, and they must prepare themselves for all the consequences to which the logical application of the principle would lead. Her Majesty's Government were guilty of a neglect of the interests of British merchants in not protesting against such a doctrine when it was authoritatively laid down in the American Courts. The other presumption was more monstrous still. It was that the Americans had a right to confiscate a vessel because they believed that her cargo, when landed, sold, transferred, and re-shipped, would be carried into the Confederate States. Here was the argument of the judge. He asked, "What was to be done with the cargo?" What on earth had the Judge to do with that? No doubt it was to be landed at Nassau, and re-shipped. The judge said "it was to be delivered to Messrs. Chambers & Karr," and he continued, "But what were they to do with it?" What right had the Judge of a Prize Court to inquire what consignees on British ground intended to do with the goods that might be delivered to them. "Nassau (he added) furnishes no market for any such cargo as this; it is a small town." Surely that was no business of his. British merchants had a perfect right to convey Armstrong guns or other munitions of war in any quantity into Nassau; and provided they were intended to be landed there, no American cruiser had a right to stop them. Of course, if an attempt were made to break the blockade, the American cruisers might do their best to prevent it. The Judge proceeded—

> "The adjacent islands possess but a small population, dependent on it [Nassau] for supplies. Probably not three merchant steamers ever arrived at that port from any part of the world, until after the present blockade was established, except the regular Government mail steamers. Was her cargo to be sold in Nassau, including the 920 rifles and the 2,240 swords?"

Now, he would ask—was Her Majesty's Government prepared to submit to that doctrine? It was not merely the loss of the *Dolphin* that was concerned. Of course, one sympathized with the merchant, and would be glad to save his property. But it was an enormous principle of international law that was laid down by that Court—the principle that such Courts might inquire what was to be done with the cargo, what market it was intended for after being taken to a British port, and that they might condemn the cargo because it might be subsequently used for an illegal purpose. In such matters as that it was difficult to call the Government to account, because it was not easy sufficiently to gain the attention of the House. But he felt that they had a right to protest against the nature of the defence which the hon. and learned Gentleman had set up. The hon. and learned Gentleman had been telling them that he had no information on the most important points connected with the subject, and therefore he declined to answer. Why, it was the greatest condemnation of the Foreign Office that the hon. and learned Gentleman was not furnished with the utmost information. The decisions of those Prize Courts were vital to British commerce. Upon them the very existence of many of the mercantile houses depended. Everything which affected the rights of British merchants ought to be the subject of careful and unceasing vigilance on the part of our Foreign Office. And yet the Foreign Office was so neglectful, that not only did it make no representations when illegal determinations were made by the American Prize Courts, but it did not even take any measures to ascertain what those determinations were. The hon. and learned Gentleman professed to be perfectly ignorant about those decisions, and, so far as the Foreign Office was concerned, he might remain ignorant of them till the day of his death. He did not take in the *New York Herald*, and there was no reason why he should. But if the Foreign Office did not take steps to know how these American Judges, acting under the ear of their own Executive, were dealing with British claims and British property, it seemed to him that it was neglecting one of its first functions for the protection of British interests.

He could not help contrasting that remissness towards the treatment given to British merchants on the other side of the Atlantic with certain recent proceedings of the Government at home. The hon. and learned Gentleman was fresh from certain great efforts of legal acumen, in which it was to be regretted for his sake that he had been unsuccessful, but in which the object was to do the work and the bidding of Mr. Adams and to bring an English merchant under the pressure of the law. Well, as to that alone, they might complain in that House that it had been done, as seemed to have been the case, upon insufficient justification. Yet, if it had stood by itself, he should not have been prepared to mention it again. But there was a peculiarity in the suit which the hon. and learned Gentleman was the instrument of bringing forward—namely, that the costs inflicted on the defendant must be enormous. The Crown paid no costs ; and therefore, if it chose to appeal from Court to Court, it could absolutely crush a defendant, because the Government's purse was boundless, while the purse of a private individual was limited. Yet the hon. and learned Gentleman, in carrying out the decrees of the American Minister, resolved not to be content with the decision which had been given against him, but—not, it was to be presumed, from his own disposition, which they know to be amiable, but from the instructions of the Foreign Office—it was his intention to wear out the defendant by carrying him up to the Courts of Appeal, and so to try to gain by the boundlessness of the Government's purse what he was unable to gain by a fair interpretation of the law. There was a good deal of animus in that. But they had seen no such animus with respect to the Federal enlistments going on in the south of Ireland. He believed that the emigration thence to New York had increased from 10,000 to 30,000, or 300 per cent, within a very limited period ; and yet there was no effort made by the Government to apply against the Federal agents any of that legal machinery which it was so ready—nay, eager to put in force against the Confederates. But before he sat down he wished to call attention to a case of attempted partisanship which, if true, seemed to him far stronger than any other, and which he thought that even some Members of Her Majesty's Government would be unwilling to adopt as their own. He had seen the following paragraph in the leading journal, and he would like to know whether it had any foundation in fact :—

> "THREATENED DETENTION OF ANOTHER SHIP AT LIVERPOOL.—Intimation having been given that it is intended to export two of Blakeley's large guns on board the steamship *Gibraltar* bound for Callao, notice, we believe, has been served on the owners of the vessel by the Custom-house authorities at Liverpool to the effect, that if the guns are put on board, the ship will be detained on the suspicion that they are destined for a Southern Confederate American port. This proceeding is deemed extraordinary, as the guns, from their vast size, each weighing about twenty-one tons, and being capable of carrying 700 lb. shot, it is considered perfectly clear that they cannot be used in the armament of ships. It is further deemed singular, from the fact that arms are shipped, and the ships cleared almost daily for Northern Federal State ports. It is alleged that the interference in the case of the *Gibraltar* and Captain Blakeley's guns has been made in consequence of the representations of the United States Minister in London."

That statement had appeared in *The Times*, and no contradiction of it having been put forth, he assumed that there was some foundation for it. But, if so, it seemed to him to complete that case of unblushing partisanship on the part of the Government under which British merchants were so deeply suffering. He had no doubt that the vast acumen and learning of the hon. and learned Gentleman would always enable him to make a plausible case on behalf of the Federal Government, which he was instructed to serve and defend. But it was not to be supposed that the people of this country would long put up with such open and unblushing partisanship in favour of one particular side in a contest with regard to which Her Majesty's Government had professed a strict and careful neutrality.

MR. COBDEN: Sir, I find myself in a rather novel position in appearing, even by implication, to be taking a side in opposition to the interests of merchants and shipowners, while the noble Lord who has just spoken appears as the advocate and champion of those interests. With respect to commercial blockades extending over a coast of 2,500 miles, it is well known that I have no sort of sympathy with such a proceeding. I maintain that such a mode of warfare can be objected to on the ground of natural justice. I do not think that two nations ought to be allowed—and I have no hesitation in using that word—I do not think a couple of belligerents should be allowed to carry on war by such a mode as will inflict upon innocent neutrals, 3,000 or 4,000 miles distant, a greater injury—a greater injury in an economical sense—than they inflict upon each other. That is the case in the present war in America. There is greater injury and suffering inflicted by this blockade on the manufacturing towns of England, such as Rochdale, Oldham, Stockport, and others, than upon any town in the United States, apart from the loss of life and limb upon the battle-field. I speak not now of those sufferings with which what is termed military glory is associated, but of the misery of hundreds of thousands of innocent people deprived of the means of earning their daily bread by honest industry, by means of this war. But who are chiefly responsible for this system of warfare? Undoubtedly the public men of this country, and those who uphold commercial blockades as a mode of warfare. I can appeal to a resolution, agreed to by the Chamber of Commerce of Liverpool within the last six months, adopted on the Motion of Mr. James Spence, the well-known defender of the Confederate cause in England, which approves this mode of carrying on war. That resolution was moved in a speech in which it was argued that it was for the interests of England that the principle of commercial blockades should be maintained. He argued that such blockades were essential to our maritime superiority; and to that view the Chamber of Commerce of Liverpool has expressed its adhesion. Under those circumstances, I cannot say a word in opposition to the blockade now enforced by the United States. It is only our own principle, carried out with dreadful severity against ourselves—the principle which we have cherished in the belief, that when we become belligerents, it would be of advantage to ourselves. The noble Lord (Lord Robert Cecil) has spoken of this blockade as being ineffective, and in proof of that adduces facts, which are, however, a complete fallacy. He says that 40 per cent of the vessels which attempt to break it succeed; but he forgets that the great ports of the Southern States are sealed up altogether. Take New Orleans; there is no contraband trade going on there. [LORD ROBERT CECIL: Because the Northerners have got hold of it.] The North has got possession, and therefore contraband trade cannot exist there. The noble Lord alluded to some small places and some small vessels which carry on a contraband trade. But does the noble Lord suppose, that if there were anything like an extensive trade with those Southern ports, we should have cotton at its present price? I take it that the blockade is clearly effective as against the Southern States of America. The noble Lord has referred also to the right of search—I think that neither he nor I can claim to be authorities in that matter; but the noble Lord has laid down a doctrine which, I believe, I can quote the highest authority to correct. He says that the American cruisers have no right to stop a vessel going from a port of this country to Nassau, no matter what its cargo may be, provided its ostensible destination be to Nassau.

LORD ROBERT CECIL: If I said that, I did not express myself correctly. What I meant to say was that a vessel going *bonâ fide* to Nassau could not be seized, whatever her cargo might be.

MR. COBDEN: The noble Lord used the word "stopped," and it is certainly of great importance in these discussions to be strictly accurate and definite in the terms which are used. Now, Lord Stowell, it is well known, has laid down the principle that the ostensible destination of a vessel must be its real destination. Well, supposing a vessel starts from Liverpool for Nassau, and that her ship's papers are regularly made out for that destination. But suppose, too, that there are verbal instructions, or secret written instructions on board to the supercargo or officer, that if a convenient opportunity should offer, the vessel, instead of going to Nassau, should make for Charleston. Now, evidence of these intentions would be sufficient to ensure the legal condemnation of that vessel in a Prize Court of the United States; but how can such evidence be got at if the vessel itself be not liable to be stopped? Of course, such a state of things must produce great inconvenience and loss, and it is of that inconvenience and loss that the noble Lord is now making a grievance. But has the noble Lord taken the trouble to go to the Board of Trade to ascertain what were our exports just now, to the West India Islands and the Mexican ports, of goods notoriously destined for the Southern States? Has the noble Lord taken the trouble to examine into the extent and character of our trade with the ports in that part of the world? Why, every one knows perfectly well that there is a large contraband trade now carried on, and it does not become us to utter such complaints as those made by the noble Lord. I think I have a right to say this without being suspected of indifference to the interests of our commerce, for my whole life, I may say, has been devoted to the task of freeing commerce from restrictions and extending its operations. But I know that the contraband trade to the South is all from England, that it is carried, not only largely, but exclusively from England; and when we all know this, is it not something like affectation to come down to this House and utter complaints as if we were innocent parties? It is not merely affectation. I call it very unreasonable on our part to pretend that there are any great grounds of grievance to our merchants engaged in this trade. I do not say that capitalists may not carry on this contraband trade; but they must carry it on at their own risk, of course. The Queen, in her Proclamation, warns her subjects from engaging in it, and tells them, that if they do, they will incur the penalties of international law. All this inconvenience follows as a matter of course, because English subjects will engage in this trade; and it does not become us to stand up in this House and talk as if we were an aggrieved nation in the matter. Of course, I claim for those vessels and merchandise a fair trial in the Prize Courts; but the decision we must leave to those Courts, for they are the only tribunals which international law recognises as competent to decide in those cases. The noble Lord has said a great deal against the character and administration of the Admiralty Courts of America. I do not think that upon that subject his opinion coincides with the opinion of more competent judges. I could quote one given by Lord Lyndhurst in a debate in the House of Lords. [Lord ROBERT CECIL: How long since?] Some five or six years since. [Lord ROBERT CECIL: Hear, hear!] Yes; but the noble Lord must know that opinions and decisions given many years ago are what guide the tribunals now. Well, in that debate on maritime law to which I have referred Lord Lyndhurst quoted American authorities much more frequently than English authorities. For instance, the noble Lord will find that so good an authority as Lord Lyndhurst quoted Kent and Story more frequently than even Lord Stowell. Such being the case, what right has the noble Lord to assume that justice will be administered in the American Courts with less impartiality than in our own. The noble and learned Lord talks of the Supreme Court at Washington having given a decision under duress—with soldiers at the doors. I ask the noble Lord for his proofs of that—I will not accept the noble Lord's allegation without his proofs. I follow the course of events in America with as close an interest as the noble Lord, and I have not seen any proofs of what he has stated. I have not read of such a case as the Supreme Court at Washington being surrounded by soldiers while deliberating upon judgment. Then, the noble Lord has alluded to the judgment in the case of the *Alexandra.* I am not going to say a word about the law, or as to whether the learned Judge who tried the case is right in his interpretation of the Foreign Enlistment Act;—but this I venture to tell the noble Lord, and I tell him as a better friend to the commercial interests of this country than he is—if he will allow me to say so—I venture to tell the noble Lord, that if the judgment in the Court of Exchequer be confirmed by the Judges, and the House of Lords—if the law there laid down be established as our municipal law—it will prove far more injurious to the interests of our commerce than to those of all the other commercial nations of the world. The House, I believe, will soon have proof that some of the most extensive and intelligent shipowners of Liverpool are awakening to a sense of the danger such a law, if it be decided to be law, would prove to the commercial interests of this country. It comes to this—that a neutral Power may build ships of war for a belligerent, provided only that the ship and its armament be kept apart until they get to a distance of three miles from the shore. These ships, having then received their armament, may take the sea as armed ships of war, and carry on operations of war against a Power with which the neutral country is at peace; and the other belligerent will have no cause of complaint against the shipbuilder, or the country in which the ship is built. The law, as laid down by the Chief Baron of the Exchequer, amounts to this:—That if this country were at war, say with Brazil—or with Ireland, if she were acknowledged as a belligerent—and I claim the attention of the House to this matter, for it is one of vast importance—a shipbuilder at Boston or some other port of the United States may build a vessel of war, tow her out to sea, and to the same tug-boat that draws her out to sea may have attached another vessel full of arms and munitions of war; and provided only that the vessel is not armed in port, but at a distance beyond three miles from the shore, then that is a vessel which can be sent to cruise against you, you being at war with Brazil; and you have no ground of complaint against the shipbuilders at New York or Boston. Now, will any lawyer tell me I have exaggerated the scope of that decision of Chief Baron Pollock? I have under-stated it. If this principle be acceded to and acted upon, you invite America to come and blockade your coasts, to wait four miles out at sea, until these vessels which you are equipping get beyond the three miles, and then pounce upon them. What is it but inviting that state of anarchy which existed in the Middle Ages, when every war became a universal war — when a war between two countries became a battle royal for all the nations of Europe. But I had thought that the Foreign Enlistment Act was intended to put an end to that state of things, and to prevent the citizens of a neutral Power committing the Government by those acts of hostility, and thereby drawing neutral Powers into war. But if you allow this recent decision to be good, then you may rest assured that you will lose all safeguards for the future; and this will be a most serious thing for England, for there is no country in the world that is to one-fourth degree so vulnerable in that kind of warfare as ourselves. The noble Lord has touched upon another point, which I am obliged to correct. I admit that this was a divergence into a subject which has nothing to do with the one before the House, but the noble Lord the Member for Stamford has been so illogical as to go into it, and it would not be right to allow the noble Lord's statements to go unanswered. The noble Lord has stated that we are not impartial; that we are not dealing in the same manner towards the Federals as towards the Confederates; that we allow the Federals to enlist recruits in Ireland. I again ask the noble Lord for his proofs. I believe that a more gross misrepresentation—unconsciously so I, of course, mean, for I do not accuse the noble Lord of intentional misrepresentation—a more ignorant misrepresentation—I must say ignorant—has never been made. The noble Lord shakes his head; but I must say that a more ignorant representation has never been made; because if the noble Lord will read the blue-book, he will see that Earl Russell, having most injudiciously made this charge of recruiting in Ireland against the United States Government, Mr. Adams challenged him to prove it, and the noble Earl was obliged to admit that he had no proofs. I thought the accusation was most indiscreetly made by Earl Russell. What proof has the noble Lord? He may find some stray newspaper paragraph. [Lord ROBERT CECIL: I have no spies in my service.] But the noble Lord spoke of emigration going on from Ireland — of 30,000 emigrants from that country. Why, have we not had in the House, within the last few days, a discussion which is quite sufficient to account for that great emigration from Ireland. Has it not been admitted, by the highest authority in this House, that emigration is desirable? It is necessary these people should go away from Ireland, because there is not sufficient employment for the people there. Probably it is unknown to the noble Lord that there is, at the present moment, an especial reason why there should be an emigration from Europe to the United States. It may not be extensively known, but it is probably better known in Ireland than it is in this House—that one of the great reasons of this exodus to America is, that within the last twelve months a law has been passed in America of a most important character—a law that had been in agitation for ten years, and had been always resisted by the South. It was an act of legislation that was vetoed by Mr. Buchanan, the last President. It is an Act called the Homestead Law, which gives 160 acres of land to every head of a family who emigrates to America, for the mere price of the surveying, which is *3d.* an acre; so that every head of a family gets 160 acres of land for 40*s*. The Americans tell us they have, in different latitudes, a thousand million acres of cultivable land, which would support the population of Germany, France, and the United Kingdom; and as they offer 160 acres to every head of a family for 40*s*., is it to be wondered at that there is a great impetus given to emigration from Ireland? And as the United States Government has a thousand millions of acres of uncultivated land, not Ireland only, but all England, France, and Germany might be entered into it. That is one of the great reasons. I challenge the noble Lord to give his proofs that the hand of the American recruiting sergeant is at all engaged in this matter. I contradict the assertion, and I do so not merely on Mr. Adams's statement, but virtually on Earl Russell's admission. Mr. Adams challenged that noble Lord to the proof, and he was in the same position as the noble Lord opposite is in now—he had no proof at all. I say these vague, declamatory statements and aspersions ought not to be repeated in this House. I beg pardon for having wandered from the question before the House, which I should not have done, had not the noble Lord been so illogical in his observations as to lead us away from the real question. With regard to the question of the Prize Courts, I leave that in the hands of the Law Officers of the Crown. The House has heard what the Solicitor General has said on the point, and I am satisfied to have the law expounded by that hon. and learned Gentleman.

Mr. SEYMOUR FITZGERALD said, he regretted very much the continual discussions upon the questions raised on the capture of British vessels by American cruisers. He regretted them because the result was this—that English Ministers, and English Law Officers, were presented to the House in the very unenviable position of defending every step taken by the American Government, and of doing everything they could, by speeches in that House and in other places, to injure the cause of British merchants, and ignore the rights which those merchants possessed. Those discussions placed the hon. Member for Rochdale in an equally curious and, as he ventured to think, unfortunate position. That hon. Gentleman had always declared himself the advocate of every proposition for the amendment of international and maritime law that was in favour of the merchant class; but on these occasions he felt himself obliged to run counter to the feelings of that class, and to ignore the grievances of which it complained. The hon. Gentleman had always avowed himself anxious to see belligerent rights restrained, modified, and controlled, but now he was obliged to come down to that House to defend the conduct of the American Government and of their own Government in upholding principles which, if carried out, must do much to fetter the commerce of this country. If men engaged in speculations, and endeavoured to break a blockade, they did so at their own risk, and deserved no sympathy. The complaint of the hon. Member for Maldon was not that contraband and illegitimate trade was repressed, but that legitimate and fair trade was repressed by acts of American cruisers for which he held there was no justification whatever. He must point out that the hon. Member for Rochdale was met at once by the noble Earl at the head of the Foreign Office with a direct denial of the doctrine which he had laid down. The position of the hon. Member for Rochdale was, that we were engaged in trade with Matamoras and Nassau, that it was notorious to the world this trade had increased to an enormous degree, and that goods conveyed to those places were in reality sent there to be conveyed thence to the Confederate States. He believed that the hon. Gentleman had said that was a disreputable trade. [Mr. Cobden: I said it was not a reputable one, as it is in violation of the Queen's Proclamation.] The hon. Gentleman had argued that this trade was in violation of the Queen's proclamation, and that the merchants engaged in it must put up with the inconveniences resulting from their being engaged in what he believed he (Mr. Cobden) had called a "contraband trade;" but what did Earl Russell say on the same subject in a recent despatch written to Lord Lyons? It was to be wished that that despatch, which had only reached the hands of hon. Members that morning, had been written long ago. Earl Russell said—

> "It is an impression widely spread and deeply felt that it is the intention of the American Government, by captures without cause, by delays of adjudication, by wanton imprisonment of the master and part of the crew of captured vessels, to put a stop to the British trade to Matamoras altogether. The trade to Matamoras is, however, a perfectly legitimate trade. It is carried on from New York, as it is from London and Liverpool. To pretend that some goods carried to Matamoras may be afterwards transported across the frontier to Texas does not vitiate the legitimate character of that trade. Nor is it possible to say beforehand that certain goods will be consumed in Mexico, and certain other goods will be carried into the so-called Confederate States."

He believed the hon. and learned Solicitor-General approved that statement. [The SOLICITOR-GENERAL: Hear, hear!] The Solicitor-General cheered, but the statement which he approved was in direct opposition to the speech of the hon. Member for Rochdale. The doctrines laid down by the Solicitor General were in the main singularly clear and correct; but, at the same time, he took good care not to apply them to the cases before him. He justified the proceedings of the American Courts with respect to the *Dolphin,* by saying that evidence less than conclusive was often admitted by Lord Stowell. That might be perfectly true, but the ground of complaint here was that the Prize Courts of the United States had proceeded to condemn both the vessel and the cargo upon the purest presumption—a presumption so thin and naked that to any unprejudiced mind—he would almost say to any one who was not the Judge of an American Prize Court—it would amount to no presumption at all. For what was that presumption. A vessel was consigned to a neutral port, with regular papers, and nothing on board except a single letter which would lead to the suspicion that she was going to run the blockade. [The SOLICITOR GENERAL: There were arms.] That did not alter the question in the slightest degree. If her destination was Nassau or Matamoras, she had a right to have munitions of war on board, and they might be called "hardware," taking the word from the Northern vocabulary; for of the munitions of war shipped at Liverpool for New York probably not more than a fiftieth part was not shipped under this description. The sole piece of evidence on which sentence of condemnation was pronounced consisted of a letter in which the owner told the master that he was not to land the goods at Nassau,

Mr. Seymour FitzGerald

and that, instead of diminishing the cargo, additional cargo was to be added to it. But was there no port of destination after touching at Nassau except Charleston or Wilmington? The vessel might have been going to the Havannah, to Vera Cruz, to Matamoras, to some of the ports of Venezuela, or even to New York. Grant that less than conclusive evidence might be admitted in the English Courts, that doctrine was not applicable in the case of the *Dolphin,* because that had been admitted as a presumption which in no other Court in the world would be held by any reasonable man to raise a presumption at all. Again, in the case of the *Pearl,* the ship and cargo were condemned solely because the cargo was such as was not likely to be consumed in Nassau. Well, nobody ever supposed it was, and there could be no doubt that it was consigned to Nassau with a view to run the blockade from that port. A swift vessel drawing little water was likely to run the blockade with success. But to condemn ship and cargo on such a ground was contrary to those principles of international law which had been laid down by Lord Stowell, by Chancellor Kent, and others; and what he complained of was that Her Majesty's Government were allowing doctrines to be introduced by these decisions by which in the long run England and her commerce would be the first to suffer. Why did not the Government at once remonstrate and call for explanation, or say, "If this be your new doctrine of international law, we give you fair notice that England will not submit to it?" Mr. Seward had communicated to the Government a letter addressed by him to the Secretary of the United States navy, and Earl Russell had referred to it as a document reflecting great credit on Mr. Seward, and justifying great confidence in the course taken by the American Government. But what was the doctrine set forth in that letter? Mr. Seward said that vessels were not to be captured unless their cargoes had a direct or indirect destination to Southern ports. Surely Earl Russell ought immediately to have said, "Here is something novel—something which international law does not ratify, and I will call on Mr. Seward to explain what he means by indirect destination to Confederate ports." By practice they knew well enough what was meant—namely, that vessels were to be captured not where there was an intention to break the blockade, but to land the goods at Nassau and Matamoras for the purpose of being sent across the frontier by vessels of light draft. Such a statement ought to have challenged the attention of the British Government, but it did not; and the result was that at that moment British commerce was suffering, and British merchants were put to the greatest inconvenience and loss. The hon. and learned Solicitor General said he did not wonder that the rate of insurance had risen; and, in point of fact, the insurance between Liverpool and Nassau was six or seven guineas per cent, even on such goods as leather and cloth; but if, as Earl Russell declared, that was a legitimate trade, and the American cruisers had no right to stop it, the rate of insurance ought not to rise. The fact was, that the American Government knew the English Government were not likely to find fault with any of their proceedings, and they were determined, at all hazards, to put down the trade between Liverpool and Nassau and Matamoras, although Earl Russell had characterized it as legitimate and honest. Another despatch from Mr. Seward, in answer to Earl Russell, published that morning, threw considerable light on the question. He said—

> "It is only very recently that this especially enlarged Matamoras trade has come to our notice. Suddenly and quickly as palaces, cities, states, or empires rise in the tales of the *Arabian Nights* under the waving of a wand or the utterance of a spell, that trade rose from a petty barter to a commerce that engaged the mercantile activity of Liverpool and London. Simultaneously, roads across the interior of Texas were covered with caravans, the cotton of disloyal citizens in the insurrectionary region became all at once the property of the treasonable conspiracy against the Union, and was hypothecated by its agents for a foreign loan to satisfy obligations contracted by them in the fitting-out and equipping and clearing from British ports of steam naval expeditions to destroy the commerce of the United States. The *Peterhoff* was about the first discovered of the vessels engaged in this expanded trade."

That was the real secret of what was going on. The American Government knew perfectly well that the trade described by Earl Russell as legitimate and fair was becoming of great importance to the Confederate States, and therefore they said—" We don't care in the least for English interests; we don't care for remonstrance; we will put down the trade with a high hand, and run the risk of all consequences." Earl Russell, speaking in another place, stated the other night, that as long as he was at the Foreign Office, no British subject should ever, in any part of the world, be insecure either as to person or property. The sentiment was one which did him honour; but the noble Earl would deserve still greater honour if he made that principle of general, impartial, universal application. He could not understand the noble Earl using such language with regard to men shipwrecked in Brazil and yet permitting the property of British subjects to be seized and confiscated, while the crew and passengers on board the *Peterhoff* were taken to New York, and for three weeks were not allowed to write or communicate with a single friend ashore, or even with the representative of their country. If the noble Earl had determined, that so long as he held the seals of the Foreign Office, no British subject should suffer unjustly in person or in property, it was an honourable sentiment; but he felt bound to condemn a course of policy which in all these events had exposed British subjects not only to loss of property, but also to indignities such as he had mentioned in the case of the crew of the *Peterhoff*. One word more, and he should have done. The noble Lord at the head of the Government last year, when his attention was called to cases similar to those now under discussion, used one peculiar argument which the hon. Member for Rochdale would do well to consider. The noble Lord deprecated discussion upon these subjects, because, he said, no Power in the world was more interested than England in extending rather than contracting belligerent rights. But he (Mr. Fitzgerald) could not admit that argument to be sound or just. He believed that England ought to stand by the acknowledged principles of international law; but he did not believe that it was the interest of this great commercial country to have those principles extended one whit beyond what the absolute necessities of the case required as laid down according to the necessities of the case during former wars; and he was sure, that if they permitted those principles to be adopted as against themselves by the United States or by any other Power, the moment they, in their turn, attempted to enforce them when they became a belligerent, they would find the other Powers leagued together to prevent them—regarded as they were by all the world with jealousy and distrust — from applying those principles, and the result would be that they would have exposed their fellow-citizens to losses and indignities without obtaining the object which they had in view in the extension of belligerent rights.

Question "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

AFFAIRS OF POLAND.

OBSERVATIONS.

MR. HORSMAN said, he was far from being satisfied with the answer that had been given by his hon. Friend the Under Secretary of State respecting the answer to the notes recently sent to St. Petersburg. The hon. Gentleman had stated, no doubt quite accurately, that the Government was not aware that any answer had been received, and that no such answer had been communicated to his Department. It was, however, generally believed that an answer was received in London on Saturday, and it was considered remarkable that the Government should have allowed forty-eight hours to elapse without having ascertained whether any such answer had arrived at the Russian Embassy. As the close of the Session was approaching, he wished to point out to the House the danger they were in of finding themselves in a similar position to that in which they were placed in the same month ten years ago. In June 1863 they found themselves in the same relations towards Russia as in June 1853, with this difference—that then they were negotiating in favour of Turkey, and now they were negotiating in favour of Poland. But the negotiating Powers were the same. Russia, on the one hand, France and England on the other, and Austria playing her own game between them. Austria played her game successfully in 1853, when she managed to protract negotiations through the Parliamentary Session, which closed before the House could have the discussion for which his hon. Friend the Under Secretary of State for Foreign Affairs then so vehemently pressed, and for which the Government was in vain asked to fix a day. The Queen, in proroguing Parliament, was advised to say that there were the best prospects of the maintenance of peace, and when Parliament met again it found there was a state of war. What had been the course now? The negotiations had been prolonged throughout the whole of the Session by the instrumentality of Austria. The Russian answer to the notes of the three Powers was received in May, and it was seven weeks before the replies of England and France were sent off, because it appeared from the public papers that they had to wait six or seven weeks for the reply of Austria, and even after that the friends of Austria in this country managed to obtain a further postponement of discussion. But the analogy between the two periods was not yet complete. Every one remembered the Vienna note, and the famous four points, which were accepted by Russia and rejected by Turkey, because the latter discovered in them a trap, which France and England also perceived when pointed out by Turkey. But Russia, having accepted the four points, insisted that the Powers should enforce their acceptance upon the Porte, and then it turned out that Russia had accepted these points upon a construction of her own—one different to that adopted by France and England; and it also turned out that Austria, who was professedly acting with the Western Powers, had all the time a secret understanding with Russia. At the present time, Austria proposed, not four, but six points; and it was generally believed and stated in journals of high authority abroad, that while professedly acting with France and England, Austria had separate communications with Russia. It was also said that Russia was about to accept the six points, and, if so, she would only accept them again in a dishonest sense; but if she did accept them, she would call upon England and France to enforce their acceptance upon the Poles. The move would be a dexterous and safe one for Russia, but it would be an embarrassing one for England. We should be placed in a twofold difficulty—first, of assuring the assent of the Poles to those conditions; and next, of guaranteeing the faithful observance of them by Russia. He did not believe that Parliament would sanction such obligations; but the present situation confirmed the truth of what he had often maintained, that Parliamentary discussion should precede, and not follow, negotiation; and if that rule had been acted on, the Ministry would have been saved from rushing headlong into a quagmire by following an Austrian will-o'-the-wisp. They might be placed in a discreditable and embarrassing position, and it was necessary Parliament should have time to discuss the matter and to extricate themselves. He believed that a peaceful and safe extrication was possible if they acted with promptness and determination, and insisted that no more time should be lost in waiting for papers or the printing of documents. They had papers enough if they were earnest and determined to do their duty; and therefore, with the warning of 1853 before them, he hoped they would not allow the Session to close without having had a full and satisfactory discussion; and they should also insist that not a day should be lost before the answer of Russia to the notes should be communicated to the House, which should set its face against any further endeavours of postponement, that cannot be otherwise than degrading to Parliament and damaging to the interests of the country. I conclusion, he wished to give notice that he would ask the Under Secretary, on the following day, to state distinctly whether the Government had ascertained whether any answer had arrived in London to the notes of the three Powers communicating the six points to Russia.

DIPLOMATIC SERVICE.

OBSERVATIONS.

MR. BAILLIE COCHRANE said, he wished to take that opportunity of making a few remarks upon the Diplomatic Service. It was quite unnecessary for him on that occasion to go at any length into the evidence taken before the Diplomatic Committee which sat two years ago, or before the Consular Committee which sat in 1858; but he should like to know from the Under Secretary for Foreign Affairs whether it was the intention of the Government to act on the Reports of those Committees. It seemed strangely inconsistent with the welfare of the service, that when Reports were made expressing the strongest opinions with regard to important points in relation to that service, these Reports were not attended to. He wished to direct the special attention of the House to paragraphs 6 and 7 of the Report of the Select Committee on the Diplomatic Service, which were in these words—

> "That whenever it is practicable and fit a residence for a term of years should be secured for the British embassy or mission, the rent and repairs to be defrayed at the public expense. That the attention of the Secretary of State be directed to the salaries and allowances of the larger missions, with the view of considering whether they are adequate to meet the greatly increased expenditure of living at the principal European capitals."

Such was the unanimous opinion of the Committee — that the ambassadors and ministers occupying the highest diplomatic posts were not sufficiently paid, and that it was impossible for noblemen and gentlemen to occupy such situations and fill them adequately without drawing on their own resources. The fact was also admitted by several members of diplomatic experience, and he must say it was most injurious to the public service that such a state of things should go on from year to year. Who were the witnesses examined before the Committee? Lord Stratford de Redcliffe, Mr. Elliot, Lord Wodehouse, Sir J. Crampton, and Mr. Hammond. Mr. Hammond stated that the expense of living in many of the European capitals had increased from 50 to 100 per cent, and that the members of the diplomatic service consequently had great difficulty in making their official monies cover their expenses. Sir A. Buchanan while at Madrid lost nearly £1,000 a year by his appointment. The noble Lord at the head of the Government, in giving evidence some short time ago before a Committee, stated that it was impossible that an Ambassador could live properly in Paris under £15,000 a year. At St. Petersburg the salary was £8,000, and Lord Wodehouse, speaking from personal experience, said it was impossible to live there for £10,000. At Berlin £6,000 was allowed, and it was impossible for an Ambassador upon an allowance inferior to that given by other countries to maintain the same appearance. It was a strange circumstance, in connection with the diplomatic service, that it was the only service of which the cost was diminishing while the circle of its operations was extending. In 1825 the annual amount voted was £300,000; in 1830 it had fallen to £230,000; now it was only £180,000. For a long time past several thousands a year had been paid to the Treasury, and a sum of £130,000 had been accumulated, which was practically due to the diplomatic service, and might be expended for its benefit without trenching on the amount voted by Parliament. Then, again, the consular service had been neglected; nothing had been done to place its salaries and emoluments on a proper footing. It was impossible that a man at a place like Cherbourg, which was growing into first-rate importance, could live and maintain a proper position on £500 a year. Marseilles, on what principle he failed to discover, entitled the consul to £1,200 a year. He wished to urge upon the hon. Gentleman the Under Secretary, who, he was quite sure, had the interests of the service at heart, to devote his attention to the subject; and he hoped it would be in his power to state that the Government meant to carry out the unanimous recommendations of the Committee.

Mr. LAYARD said, the only occasion on which the Government was blamed for not paying its servants enough was when the Vote for the service which he had the honour to represent was brought forward. The speech of his hon. Friend the Member for Honiton completely answered the speech his hon. Friend the Member for Sussex (Mr. Dodson) had made a few nights ago, in which he felt inclined to quarrel with the rate of pay to the diplomatic service. It was perfectly true, that, on the whole, it was an underpaid service. But his hon. Friend was mistaken in supposing that the Government had done nothing to carry out the recommendations of the Select Committee. They made seven recommendations, of which six had been carried out. Those recommendations were—first, as to the constitution of a second class of candidates for admission; that had been carried out. Secondly, that a probationary term of six months should be passed in the Foreign Office, and that a further period of four years should be spent at some mission abroad; that had been carried out. Thirdly, they recommended, that at the expiration of this period of probationary service, a certain rate of pay should be given to attachés, and that had also been carried out. Though these recommendations were unanimously adopted by the Committee, and acted upon by the Government, his hon. Friend the Member for Sussex objected to the small additional sum which they entailed. For his own part, he quite agreed with the hon. Member for Honiton that pay ought to be given to the attachés. It was very hard that men should be called on to serve their country perhaps for fifteen or sixteen years without receiving any equivalent; and the proposal of the Committee, that after four years service £150 a year should be paid to them, he regarded as very moderate. The fourth recommendation of the Committee was, that there should be exchanges of clerks with the Foreign Office; and the fifth, that leave of absence should be granted to the Ambassadors and Ministers, as it previously was to Secretaries of Legation, without deduction from their pay. These had also been carried out, and they had every year two months' leave without any diminution of their pay. The sixth was, that, whenever it was practicable and fit, a permanent residence should be secured for the embassy; that recommendation had likewise been carried out in some cases, and he thought it would be very desirable if it could be carried out in all. The only recommendation which had not been carried out was the seventh; and that was a question, not for the Foreign Office, but for the Chancellor of the Exchequer. The point to be determined was, whether the House would be willing to sanction an increase of a grant which, as his hon. Friend was aware, was fixed on the Consolidated Fund, and could not be increased or diminished annually. It was perfectly true, as his hon. Friend the Member for Honiton had stated, that the cost of the service had diminished instead of increasing, and he ventured to assert that the same could not be said of any other branch of the service. Some years ago, the amount voted under that head was nearly double the present amount. Out of the £180,000 provision, moreover, had to be made for the pensions for diplomatic services. The missions to China and Japan had arisen since the former settlement of the diplomatic service, and their cost was not included in the £180,000; but the only other exception lay in the small sum of £2,000 or £3,000, which it had been his duty to ask on behalf of attachés, in accordance with the recommendations of the Committee. Notwithstanding that the diplomatic servants were as a class underpaid, and were compelled to contribute from their private fortunes to the expenses of the public service, he frequently heard complaints, both in and out of the House, that they were not sufficiently hospitable to travellers. Under the circumstances, he thought it hard that persons should grumble because public servants did not increase their expenses; but, in point of fact, he believed they did entertain more hospitably than the country had a right to expect. No doubt, as was stated by Sir Hamilton Seymour, one of the duties of diplomatists was to give good dinners. The object, however, was to entertain, not travellers and British subjects, but persons in high station in the country to which those diplomatists were accredited. If they performed their duty in that respect, they were entitled to credit, and not to be exposed to reflections in that House. His hon. Friend was further mistaken in thinking that nothing had been done to improve the position of the consular service. He held in his hand a list of no less than seventy-one consuls, of whose salaries some had been nearly doubled, and all materially increased. The Government, notwithstanding that addition, had been able to reduce the annual Vote for the consular service, as he would proceed to explain:—In 1859 the Vote taken on that account was £156,404, which was an excess over that for 1858 of £10,920. After the recommendations of the Committee had been issued, the Government determined to pay the consuls in future by salaries instead of fees, which should thenceforward be levied on account of the Government. In 1861 the net charge to the public for consular services was £143,156. In 1862 it was £142,241, being a reduction of only £1,000 between 1861 and 1862. In the year 1861 there was paid into the Exchequer, however, for fees received, £10,935, and in 1862 £13,000. So that not only had the recommendations of the Committee been carried out with vast success, but with increased efficiency to the public service. He feared that it would be impossible to come to Parliament for an increased grant without interfering altogether with the arrangements for the diplomatic service, and incurring the opposition of several Members of the House.

MR. DISRAELI said, he would beg leave to remind the hon. Under Secretary that there was one mode by which the limited sum apportioned under the Consolidated Fund for the remuneration of diplomatic services might be increased—by being more judiciously distributed. The hon. Gentleman had stated that the sum was limited, and that these public servants could not be more adequately remunerated without applying to the Chancellor of the Exchequer. Now, he did not wish to enter into the question as to whether those gentlemen were adequately or inadequately remunerated; but he would repeat that if the sum was limited, there was a mode of distributing the fund which would allow more ample compensation to be given than was the case at present. Let the House consider the practice which prevailed of sending out persons on special missions. The House would be presently asked to vote a sum of £1,500 to be paid to Mr. Elliot for his special mission to Greece. It was true that was not paid out of the diplomatic fund. But that was not the point to which he wished to call the attention of the House. What he wished to know was, why a gentleman should have been sent on a special mission to Greece when Her Majesty had a Plenipotentiary at Athens, receiving an adequate salary, paid out of the special sum to which the Under Secretary had referred? The House had every right to suppose that the permanent Minister at Greece was able to discharge the duties of his office; if not, he ought not to be there. He was, he believed, a diplomatist of considerable experience and ability, yet the moment any business of importance occurred the Foreign Office sent out a special envoy to transact that business, the country paying the special envoy when it was also paying for the permanent Minister. No reason had been given why that practice was continued, and why two salaries were paid to two diplomatists that ought to be paid to one. When the House was told that only a certain amount of diplomatic expenditure was permitted, it would perceive that the cost of their diplomacy was increased by the practice to which he had alluded.

SIR GEORGE GREY said, that the right hon. Gentleman was clearly under the impression that the expenses of the special missions to which he referred were paid out of the sum appropriated to the diplomatic service, and were consequently in diminution of the ordinary salaries. Such was not the case. The sums for special mission were voted by Parliament. Special missions had been spoken of as if they were a common practice. They were not common, and it was clearly undesirable that they should be frequently resorted to. But occasions might occur when a special mission intrusted to a person of eminence, accurately instructed as to the most recent views of his Government, became absolutely necessary. Such occasions had arisen when Lord Ashburton was sent to America and the Earl of Elgin to China.

MR. SEYMOUR FITZGERALD said, that his right hon. Friend did not contend that there ought not to be special missions on special occasions. Lord Ashburton was sent out because he had special relations with America, and Lord Elgin because he had a particular knowledge of China. Mr. Elliot was, however, first sent on a special mission to Naples. ["No!"] Yes, there was a balance of a Vote that night for Mr. Elliot's special mission to Naples. Mr. Elliot had been twice selected for special missions when no great emergency existed, and when, as in the case of Greece, Her Majesty had a very able and faithful servant at the capital to which he was sent.

The objection to such special missions was, that when once the permanent Minister was superseded in that way, his Government virtually told those to whom he was accredited, that although he did very well for ordinary affairs, yet when matters of importance arose they were obliged to send out some one else. That was a most unfair thing to a Minister, besides making the diplomatic expenditure more extravagant than it need be.

Mr. DODSON said, the hon. Member for Honiton was quite mistaken in supposing that the expense of the diplomatic service had diminished. In 1831 the whole expenditure of the effective diplomacy was £179,000; in 1862 it had increased to £336,000. The hon. Member said that the members of the Diplomatic Service Committee were unanimous. That was not surprising, as the Committee consisted of fifteen members, ten or eleven of whom were either officials or ex-officials. They called before them a number of witnesses connected with the diplomatic or consular service, and the question they put to them virtually was, "Would you like an increase of your salary?" The answers of the witnesses and the report of the Committee were such as might be expected. It did not follow, because other foreign Ministers at different Courts received larger salaries than those of Great Britain, that they were to run a race of expenditure with those foreign Governments. It was quite enough that France should frame the Army and Navy Estimates, without having the diplomatic expenditure governed by that of another country. The House of Commons ought to have its own standard, and vote as much as was necessary for the effective discharge of the duties of the office. He was sorry to hear the Under Secretary for Foreign Affairs express an approval of the proposal to have leasehold residences for the diplomatic servants, and say that in some instances it had been adopted. He had hoped that the leasehold house of their ambassador at Madrid, which had turned out a very bad bargain, would have operated as a warning against their having leasehold houses elsewhere. That house was purchased at a high price, an architect was employed for many years running backwards and forwards to look at it, there was a permanent clerk of the works at it, and he saw one report which stated that the house was a heap of ruins, and that there was the greatest possible difficulty in preventing it tumbling down. The hon. Gentleman had alluded to an increase of pay in the case of the consuls. The consuls were an efficient body of men, but he believed their efficiency as well as their pay might be increased without necessarily adding to the expense of the consular service. The fact was, they had got a number of unnecessary consuls in different places, and the savings that would be effected by the abolition of useless consulships might be applied to increase the pay of the others. A beginning had been already made; useless consulships at Moscow, Milan, and other places, had been abolished, and still more might be done in the same direction. The House should watch with great jealousy any proposition, direct or indirect, made by independent Members for an increase of the pay of public servants.

Sir MINTO FARQUHAR said, he had always understood that Committees formed in that House were composed of persons of some experience of the questions with which they had to deal, and likely to come to a proper and impartial decision. The Secretary of State, the Under Secretary, the hon. Member for Birkenhead, and the hon. Member for Horsham, and other hon. Gentlemen who had diplomatic experience, were members of the Committees on the diplomatic service, and the evidence which was brought before them was fully sifted. In fact, a fairer Committee could not have been formed. The hon. Gentleman objected to the evidence given by the witnesses who were called before the Committee, but he would ask the House merely to read that evidence. There was not a single member connected with the service who did not in the most distinct manner show that the necessaries of life had increased from 25 to 100 per cent, and that in every case their salaries were entirely inadequate. He was glad the subject had been brought forward by his hon. Friend, because he had elicited from the hon. Gentleman (Mr. Layard) the fact that the attention of the Government was turned to the subject. But it was too bad, when a Committee made a Report, that hon. Members should come forward and say that its recommendations ought not to be carried out. A gentleman formerly, upon entering the diplomatic service, was often six or seven years unpaid; but now, as the Committee had recommended, after four years he received £150 a year, and after a certain time he would receive £250 upon becoming second Secretary. A man might be in South America for four or five years, and in coming home he would have to spend £60 or £70 out of his own pocket, unless he was sent to another place. The Secretaries of Legation had very important duties to perform, for they had not only to assist the Ministers, but regularly every year to make a full Report upon all matters connected with trade, and both the public press and the House always admitted the ability with which those Reports were drawn up. It would be a much better plan than that pursued at present to have recognised mission-houses abroad. He had had experience when at Vienna, of the inconvenience arising from the removal of papers from one house to another, and he could not conceive anything more open to objection. It was said that British Consuls were in the habit of charging excessive fees; but the Committee inquired into that matter; they sent letters asking for information to all the Chambers of Commerce in England, and the result was, that the accusation fell to the ground, and the Consuls of this country earned the highest praise it was possible to bestow. And the same was true of the diplomatic corps. Under those circumstances, he could not believe that the House or the country would grudge an increase of salary to a body of men who so well deserved it, sufficient to enable them properly to represent Her Majesty and the power and wealth of the country.

Mr. AUGUSTUS SMITH said, the Committee in question was composed of officials, or those who had been officials, with two or three who were officials expectant; and all the witnesses were of the same kidney. Foreign Ministers were paid, in the smaller capitals of Europe, at a much lower rate than their own. Many of the smaller embassies might be dispensed with altogether, as either useless or injurious. The means of communication by telegraphs and railways would enable them to do that and save money, while the service would not suffer in the slightest degree.

MISSIONS TO GREECE.—QUESTION.

Mr. AYRTON said, he wished to put a Question with regard to the special mission to Greece; but as he had not given notice of it, he would, if necessary, repeat it to-morrow. The House would recollect that when Greece became independent, a treaty was entered into between England, France and Russia for the purpose of guaranteeing a loan which was then raised to meet the financial exigencies of the new State of Greece. That treaty was in the usual form of all treaties in which the responsibility of Parliament was involved in favour of a foreign State. Under that treaty England had from year to year been called upon to pay her share of that guarantee—that was to say, the interest and what was necessary for the sinking fund. They all knew that the financial condition of Greece was then, and continued to be, of a most deplorable character, and that no money had been contributed by Greece towards the payment of either interest or principal. But three years ago a Commission was appointed to inquire into the financial condition of Greece, and it reported that the time had arrived when Greece was able out of its resources to contribute annually 900,000 francs, which was equal to about £36,000, towards the principal and interest. He observed, however, from the papers laid on the table, that France, Russia, and England had agreed to a protocol containing a proposition that £12,000 a year should be appropriated out of the sum which Greece was to pay on account of that loan for the benefit of the future King of Greece. That was a protocol and not a treaty, and it was not in the language used when the Crown undertook to make a convention with a foreign Power dealing with funds under the control of Parliament. Upon this an important constitutional question arose, because the assumption of the protocol was, that if Parliament appropriated funds for the specific purpose of a foreign Power, and that foreign Power agreed to repay them, those funds should not necessarily come back to the Exchequer, but that the Crown could make a charge on them and grant out of them a pension to a foreign Prince. He apprehended that was an assumption which the Crown was not warranted in making, and that when an Act of Parliament confirmed a treaty and regulated the disposal of funds to arise under it, it was not competent for the Crown to enter into any treaty at all as to any change in the disposition of those funds. All that the Crown could do, using the language ordinarily employed in such cases, was to engage to recommend to Parliament that the funds should be appropriated to the object stated in the protocol. He therefore wished to know, whether the Government intended to obtain the sanction of Parliament to the grant of £4,000 a year from England to the King of Greece, and in what mode the sanction of Parliament was to be obtained?

MR. LAYARD said, he would have to answer a similar Question on the following day of which the hon. Member for Horsham had given him notice, and perhaps that would suit his hon. Friend Mr. Ayrton.

Main Question put, and *agreed to.*

Resolutions read 2°, and *agreed to.*

SUPPLY.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [26th June], "That Mr. Speaker do now leave the Chair," and which Amendment was,

> To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the present Ecclesiastical Settlement of Ireland,"—(*Mr. Osborne,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

THE IRISH CHURCH ESTABLISHMENT.

SELECT COMMITTEE MOVED FOR.

ADJOURNED DEBATE. SECOND NIGHT.

MR. GRANT DUFF said, Sir, I think it is quite natural that hon. and right hon. Members on the Treasury bench should feel towards my hon. Friend the Member for Swansea pretty much as Cornelius Agrippa may be supposed to have felt when, on returning to his laboratory, he found that his idle apprentice had raised the Devil in his absence. There is, however, this difference between the case of the enchanter's pupil and my hon. Friend—namely, that he and those who are acting with him have raised the devil not wantonly, but of set purpose. We are perfectly aware that we are stirring the gravest of all our internal questions. We are perfectly aware that many of our opponents will treat this not as a political, but as a religious controversy, and use every weapon of sectarian animosity to keep what they have. We know all this; but we also know that the present state of Ireland is, I will not say a disgrace to the Liberal party, but almost a negation of the existence of any Liberal party, in the true sense of the term; and we take comfort from the words of the First Napoleon, when a clamour was raised against him for infringing revolutionary equality by instituting the Legion of Honour—

> "We have reason on our side; and when one has reason on one's side, one should have the courage to run some risks."

Sir, the Irish question was stated with singular force and perspicuity by the right hon. Gentleman the Member for Buckinghamshire in 1844. After describing the state of the country, he asked what was the remedy. His answer was, "A revolution." "But you cannot," he said, "have a revolution, because the strong grasp of England makes it impossible." What, then, is the duty of an English Minister? To effect by his policy all that a revolution would do by force. The continued existence of the Irish Church for a period of nearly thirty years in undiminished power and prosperity, after having been condemned by many of our foremost statesmen, is a sad, though, alas! not an unusual phenomenon in the history of politics; and it is the more monstrous and intolerable, because during these thirty years we have been everywhere busy in exposing the scandals of other Governments. Like the Americans of the once United States, we have been boasting of the perfection of our own institutions in spite of this great unredressed wrong, which may, if we are not wise in time, one day be to us what slavery has been to them. We have been assured, again and again, that Catholic emancipation has been a failure; that it has not realized the vision of those who thought that it would inaugurate a period of perfect peace and prosperity. Of course it has not. As the right hon. Gentleman the Member for Hertfordshire said in 1835—

> "You have no right to stop short of any concession to the Irish people, as long as you leave them one hardship which is not shared by the people with which they are united."

Catholic emancipation was the beginning of a reform which should have been ended ere now, but in which we have hardly yet had courage to take a second step. But it is said that the Irish people care little about this question of the Irish Church, since the tithe grievance has come to an end. Those who think so, need only be reminded, in the words of Mr. Charles Buller, "That in almost all cases national revolts have had their immediate cause in some offence to the feelings, not to the interests of a people." The truth is, that for some years Ireland has seen no hope of effecting anything in this direction, and she has been playing her old game, waiting for our necessity, which, alas! she has often had too good reason to know, is her opportunity. When this subject was last discussed in this House, if I omit the Motion of Mr. Miall in 1856, which came at an unlucky time, too soon after the fever fit of 1851, the alarm which resulted from the repeal agitation of Mr. O'Connell had not yet died away. Times have now changed. No one can accuse the statesmen who, obedient to the voice of justice, seal the fate of the Irish Establishment, with yielding either to internal clamour, or to the fear of foreign foes. But this state of things will not always endure. The day can hardly fail to arrive when you will again have differences with France, and differences with America; and again, Ireland, if her just demands are unsatisfied, will absorb and neutralize a great portion of your force. Now is the time to yield peacefully; to take those precautions which may allow you to be "calm in danger, because you have trembled in repose." We have heard from the hon. Mover and others that many of the startling statements with which the country became familiar thirty years ago, are still applicable, and that, on the whole, the position of the Irish Church, in respect to its hold upon the population of Ireland, is no better. Is there any country in the whole wide world where so few people have so much expended upon their religious instruction? And with what result? I never heard that the members of the Church of Ireland were, morally, either better or worse than their English neighbours. If they were as much a better as they are a more costly product than English Churchmen, Ireland would obtain a new right to the title of "Island of the Saints." But perhaps it will be said, that this Irish Church is doing some special work, which entitles her to being paid at a higher rate than other churches. Well, let us hear what she is doing. It has been asserted that she is a missionary Church; that she exists for the purpose of extending Protestantism. I grant that she was founded to be a missionary Church. We shall hear something, I hope, before the debate ends, about those gentlemen who stop travellers in search of the picturesque at Achill, to discuss the number of the beast, but these missions are not specially Irish Church Missions; indeed, the good man who circulates pamphlets about them is, I am informed, a Cornish vicar. A German political poet of our own day has described the great Frederick gathering around him in the other world the most famous warriors of the Prussian monarchy, and addressing to them some uncommonly strong observations upon the state of Germany. I think, Sir, that if Queen Elizabeth could summon around her once more her wise counsellors, they would be rather surprised by the failure of their missionary experiments, and would, I am afraid, in the reaction of their surprise, be very likely to advise that the Irish Church should be improved off the face of creation. A Church whose action is governed and limited by the Liturgy of the Church of England, has, it appears to me, neither the faults nor the merits which are requisite to enable it to deal with a Celtic people, as Celtic peoples now are. Look at Wales; look at Cornwall; look at Brittany; look at North Western Scotland. Is there not in the religion of all these districts an impulsive, passionate element which is quite alien to the religion of a Church which has almost taken for its motto—for it is the motto of its typical work—'In quietness and in confidence shall be your strength.' I never will believe, Sir, that the united Church of England and Ireland can conquer Connaught. I beg pardon, Sir. I do believe it; and I will tell you when it will conquer Connaught. It will conquer it on the day on which the freeholders of Buckinghamshire are converted, by the study of not the least characteristic work of the most brilliant living advocate of the Church of England, to the worship of—the Syrian Venus. But perhaps she is a learned Church. We have heard that there are many clergymen in Ireland whose leisure, judging from the smallness of their flocks, must be nearly unbroken. Do these men occupy themselves with literature or theology? If so, why do we not hear more about them? Have the great works of Biblical criticism, and ecclesiastical history, and religious philosophy come to us from the west or from the east? But perhaps she is particularly famous for the examples of extraordinary holiness of life which she exhibits in her high places. She has, I presume, a whole roll of Leightons and Fenelons and Pascals, and men like the author of the *Imitatio Christi* to show. Although many of us have met the type of Irish clergymen whom Mr. Kingsley has celebrated as Mr. O'Blareaway, far be it from me to say that the Church which is illustrated by the names of Archbishop Wheatley and Bishop Fitzgerald is no better than the Church of Stone and of Boulter. Still, as the right hon. Member for the University of Dublin, or some equally fervent partisan, will, I dare say, rise in this debate and celebrate the pure apostolic succession of the children of that Protestant gentleman, St. Patrick, I may be allowed to prepare the House by reminding it of the forcible lines in which Swift, himself thought good enough for an Irish Dean, described the Irish Bishops of his day—

> "Of whom there are but four, at most,
> Who know there is a Holy Ghost;
> The rest, who boast they have conferred it,
> Like Paul's Ephesians, never heard it.
> And when they gave it, 'twas well known
> They gave what never was their own."

But perhaps she is a Church associated with great historical recollections. If so, what are they? Those which come back most easily to the mind are the atrocities of 1798, which a recent English historian, after comparing with the proceedings of Robespierre, Couthon, and Carrier, decides to have been rather the more diabolical of the two. But, Sir, if the wrong is established, what is to be the remedy? Not, I say, a half remedy like that which finds favour with my hon. Friend the Member for Poole. The only remedy which meets the case is that which Cato proposed for Carthage. I am quite aware of the arguments that can be brought against the voluntary system; and a quarter of a century ago they were powerful enough to induce Sir George Lewis to give his verdict in favour, not of general disendowment in Ireland, but of endowing all sects alike. But whatever may have been the case then, the set of the current of the age, the stream of tendency is now distinctly the other way. I have no wish to exchange for a voluntary system the arrangements of any Established Church which is working reasonably well; all I say is that the future of Christian societies belongs to the voluntary system. In the words of a great religious writer "Our religion will become less and less Jewish, more and more it will tend to reject everything like political organization in the concerns of the soul." Of course, I would respect all vested interests. Of course, I would preserve all Irish Church property for Ireland; but I would remember, that while the State has a deep interest in the people being moral and religious, she has no interest whatever in their being taught this or that doctrine. The same measure that I meted out to the Church of Ireland I would mete out to the Roman Catholics, and to the Presbyterians of Ulster. Slowly and gradually, with a scrupulous respect for vested interests, the Maynooth Grant and the *Regium Donum* should be diminished, till at last they vanished away. England and Ireland, Sir, have many mutual injuries to forgive, and I verily believe at this moment England is more prepared to be just and reasonable towards Ireland, than she is to be so towards us; but if so, it is only what is to be expected from our much higher civilization. Let us do this great and righteous act, which will benefit us and Ireland enormously. In doing it, we shall not have settled the Irish question, but we shall have settled incomparably the most difficult part of it, and ere long we shall have a country as loyal as Scotland, and we shall have done more to increase our power for good in the councils of Europe than we could do by twenty victories over any foreign foe.

MR. DAWSON said, he thought he could take no better opportunity of expressing his deep regret that the attention of the House had been latterly so much taken up with discussions bearing upon polemical questions, which, though often originating in the best intentions, might probably set man against man, and bring even the very name of their holy religion into disfavour and disrepute. He was much averse to these debates, for though he greatly preferred his own religion, he had invariably given support to the endowment of other religious bodies. It was no doubt impossible to deny that anomalies existed with regard to the different religious endowments in Ireland; and, indeed, that necessarily arose from the fact that there was no country where there was a more complete divergence of religious opinion, and where there was a more complete disinclination to agree in a uniform advocacy of a religious system. He felt, however, that all these anomalies were so indissolubly bound together, that if they touched one of them, the rest would fall, and in that fall would be involved the whole religion of the land. Believing that no present alteration would meet the requirements of Ireland, he would resolutely resist such propositions as had been made, whether they came from the hon. Member for Swansea (Mr. Dillwyn), the hon. Member for Peterborough (Mr. Whalley), or the hon. Member for Montrose (Mr. G. Duff). He would beg to remind the House that the position of the Church was secured by the Act of Union; and so long, therefore, as the United Kingdom remained there should be one undivided Church. The Church had accepted the provisions of the Church Temporalities Act, by which its four archbishops were reduced to two, and its twenty-one bishops to ten, and by which a fourth part was withdrawn from the receipts of every clergyman. The nominal Church revenue was £580,418, but it was subject to certain deductions, which reduced it to £370,681, or about 12*s.* and not £1, as had been erroneously stated, per head of the Church population of Ireland. There might be disproportions which ought to be redressed, but he could not admit that Church benefices ought to be measured out on the same Procrustean bed. He would never consent to the alienation or appropriation for other purposes of the property of the Church, which belonged to it upon the faith of the Act of Union, confirmed by repeated Acts of Parliament. That there was a surplus could hardly be maintained when it was considered how many poor livings there were, and he thought that some of the larger emoluments should be retained for the purpose of attracting men of character and ability to the service of the Church. He felt certain from the first that the groundwork of the debate would be a numerical calculation, yet such a foundation was fallacious when it was borne in mind, that though the population of Ireland had much decreased, the numbers of the Church of England had relatively increased; for whilst the diminution of the numbers of Roman Catholics was nearly one-third, that of the Church of England was less than one-fifth. He submitted that the position of the Church in Ireland was stronger now than in 1834, or than at any time between then and now. It had gained in the character of its clergy, for the clergy were almost all resident, and in the disastrous years following the potato famine of 1846 the clergy of the Church set an example of self-sacrifice that secured for them the appreciation and gratitude of the whole country. Until the subject was recently disinterred from oblivion, he did not think that there was any disposition in Ireland to re-open the question of Irish endowments. They all wished to prevent the landlords, who were mostly Protestants, from living out of Ireland; but would that end be promoted by attempts to weaken their Church? The advantage of having in a parish a resident clergyman and his family who would be always accessible to the claims of charity was self-evident; but it certainly would not diminish absenteeism to deprive landlords of the presence of the clergy. In his opinion, the question of the integrity of the Irish Church involved the whole structure of society, and the very existence of Ireland as a component part of our established nationality. That the feeling in favour of the Church was strong in Ireland, was shown by one or two facts that had come under his observation during the last year. In Londonderry the time-honoured cathedral had recently been restored, chiefly at the expense of local subscribers; only six weeks ago the parish church of Lurgan was re-opened for the accommodation of a double supply of attendants, who now numbered 1,600 people; and lately, in Belfast, a sum of £7,000 was promised in one day for the purpose of building and endowing five new churches. Those facts afforded abundant and tangible evidence of the vigour and vitality of the Church in the north of Ireland. The older Members of the House would not have forgotten the movement, extraordinary for its non-results, which induced so many Members of the present Government to force the resignation of the first Administration of Sir Robert Peel in 1835. The House had a right to require, notwithstanding the able speech of the Chancellor of the Duchy of Lancaster, a more thoroughly explicit declaration of the policy of the whole Cabinet on this question. By a reference to *Hansard,* he found that in 1835 the resolution for the secularization of Irish Church property was supported by no fewer than six Members of the present Government. The names were — the Duke of Somerset, Earl Russell, Lord Stanley of Alderley, and the right hon. Members for Morpeth (Sir George Grey), Wolverhampton (Mr. C. P. Villiers), and Halifax (Sir Charles Wood). The present Lord Lieutenant of Ireland and the right hon. Members for Hertford (Mr. Cowper) and Gateshead (Mr. Hutt) voted on the same side. Again, in 1856, the position of the Irish Church was similarly assailed by Lord De Grey, the right hon. Member for Ashton (Mr. Milner Gibson), the noble Lord the Member for Kerry (Viscount Castlerosse), and the hon. Member for Louth (Mr. Chichester Fortescue). He could only hope that the influence and example of the Chancellor of the Duchy of

Lancaster, who was himself free from any inconsistency on this subject, had been sufficient to convince and convert so many of his noble and right hon. Colleagues. An assurance to that effect would be received with satisfaction by all the friends of the Irish Church. The Presbyterian Church had been indirectly attacked by the last speaker, but it was a notorious fact, that wherever Presbyterianism flourished, there the people were distinguished for their intelligence and enlightenment. The condition of the north was superior to that of any other part of Ireland, and he had no hesitation in saying that the Episcopalian and Presbyterian churches had been the chief instruments in effecting this local superiority. Regarding Protestantism as the sheet-anchor of British power and prosperity, knowing that it had always inculcated principles of loyalty and patriotism, he trusted that despite such attacks as the present it might long be sustained, with vigour unimpaired, and with a sphere of usefulness undiminished for the advantage and consolation of remote posterity.

SIR ROBERT PEEL: Sir, before this debate closes I am anxious to address a few observations to the House. I thoroughly concur in the remark which has been made by a previous speaker with reference to the importance of the subject now under discussion, and I hope that in dealing with it I shall say nothing calculated to give umbrage—such, at least, is not my intention—either to those who agree with me or to those who may differ from me in religious opinion. There can be no doubt that circumstances have greatly changed since this question used formerly to be discussed. Then it too frequently led to strong party demonstrations, or it was the signal for stirring up in the minds of all classes the most serious religious differences. It is recorded that at one period Ministers themselves were terrified at the approach of such discussions as the present, and we know that the debate on Mr. Ward's Motion had to be postponed in order that the places of four Members of the Government, who had resigned, might be filled up. What are the circumstances now? The tone and temper in which such questions as this used to be treated are completely altered; indeed, so strong is the influence in soothing religious animosities and producing harmony among opposite religious communions which has sprung up, that this subject can be debated in these days with hardly any excitement, except such as is the result of the ability of those who take part in such discussions. I must, however, say that I think my hon. Friend the Member for Liskeard hardly did justice to the question he brought under the notice of the House. He made, undoubtedly, a very clever speech. We all know he is possessed of superior parts, but I cannot help thinking that the general tenor of his remarks was too jocose for the gravity of the subject. As for his facts, they were so voluminous that he positively overdosed us with their superfluity. I hope, at the same time, presently to show that he drew to such an extent on his imagination that he almost altogether spoilt the effect which he intended to produce. I do not find fault with my hon. Friend for the length to which he went, but I cannot help saying—looking upon him as I always shall with a warm feeling of regard, so far as political sentiments are concerned—that I thought he was somewhat unfair towards me in introducing into his speech a matter of private feeling which had nothing whatever to do with the Motion before the House. I do not think, for instance, that my hon. Friend had any right to operate on me in the way he did for attending the meeting to which he alluded. I had, however, one satisfaction in listening to his speech, because, although he drew a most terrible picture of the state of the Irish Church, although he endeavoured to show that it was prejudicial to the interests of the Protestant faith and most mischievous in its tendency, as a political institution a blunder, and as a national religion a pious fraud, still he expressed no desire that it should be uprooted. Now, I thank my hon. Friend when he tells us he does not intend to destroy the Church, and I must confess that he would not, in my opinion, even if he did intend to do so, succeed. I may, however, remark, that as I sat upon the bench behind watching the pious tears chasing one another down his theological cheeks as he wept over the position of the Irish Church, I could not help looking on in wondering admiration. The hon. Gentleman who addressed the House last but one spoke of the Hottentot Venus. [An hon. MEMBER: The Syrian Venus.] Well, I suppose all Venuses are pretty much alike; but the hon. Gentleman, as you say, talked of the Syrian Venus, and also of Carthage, and I can well figure to myself Dido weeping over the ruins of her deserted city, or Niobe lamenting according to the fiction of the antique; but my hon. Friend, with the Rev. J. Bolster, rector of Killaspugmullane, and the cobweb fonts of which he spoke, standing around him, present a *tableau vivant* worthy of the pages of *Punch* or the department of Science and Art.

My hon. Friend entered very largely into the debate on this subject, which some nights previously took place, and criticised at considerable length the observations made by the right hon. Gentleman the Member for the University of Dublin. Indeed, he not only criticised his observations, but said his history was bad, and threw some doubt on his opinions at to the virtue of Elizabeth. Now, I am not at this moment going to deal with that question; but I ask the indulgence of the House if I refer to a debate which my hon. Friend—inasmuch as it took place only about three weeks ago—touched upon somewhat in violation of the rules of the House, carrying out, no doubt, the doctrine of what he calls a "pious fraud." My hon. Friend, in the course of his remarks, was constantly alluding to the Liberal party. He asked why the Liberal party did this, and why they did that? He said this question was the stumbling-block or the stalking-horse of that party. [Mr. BERNAL OSBORNE: I referred to the Whigs.] Well, that is the Liberal party. ["No, no!"] We are all Liberals in these days. There are no party distinctions of that kind. Be that as it may, my hon. Friend contended that this question was the stumbling-block or the stalking-horse of the Liberal, or, if he likes it better, of the Whig party. But the fact is, they could not proceed with it. The sense of the country was against them, and then they wisely gave it up. The question has often been made a battlefield. After being quietly interred in 1833, it was revived in 1856 to no purpose. Mr. Ward brought forward his Motion on the subject, and so did Mr. Miall; but neither was an Irishman, and as to the hon. Member for Swansea (Mr. Dillwyn), he told us he never was in Ireland; and, indeed, there was no necessity for his doing so, because everybody who listened to his speech must at once have seen that he knew nothing whatever of the country, one remark of his being, that the Irish Church was supported by an army of 21,000 soldiers and 12,500 police. The question, however, has at last been taken up by my hon. Friend the Member for Liskeard, who is no more an Irishman than St. Patrick, and I would place him in the same category of Protestants.

Now what, let me ask, is the Motion before the House? My hon. Friend asks for a Select Committee—a Select Committee in the month of July. That, in my opinion, is hardly the way to treat a great question of this kind. If you want a Select Committee, you cannot limit its inquiries to the Established Church in Ireland, which is only part and parcel of the United Church of England and Ireland. If you deal with the one, you must deal with the other, and, indeed, with all endowments—with the Church established in Scotland, and with the endowment to Maynooth. To enter into an inquiry so extensive, after the great labours and abundant legislation of the Session, would, I contend, be impossible. My hon. Friend, indeed, says that we only passed a Vaccination Act for adults, but he evidently has not read the Bill, because it was a measure for the vaccination, not of adults, but of babies. Indeed, I think the only inducement which my hon. Friend could, with any success, hold out to hon. Members to sit on the proposed Committee would be that he should himself take the chair. At all events, the House will, I am sure, admit that there has been on the part of the Government no hesitation in affording the fullest information on this subject. Numerous Returns have been moved for, and I have been always anxious that they should be as soon as possible produced. It should, I may add, be borne in mind, in dealing with this question, that our Parliament in 1828 consisted exclusively of members of the Protestant Church; whereas now it admits indefinitely gentlemen hostile to the Establishment. The discussions on the question stand now, therefore, upon a very different footing from that which they did formerly. I approve the liberal measures which have been passed of late years, and to those hon. Members who differ from the Church I give every credit for the benefits which they have conferred in promoting sound religious instruction. But it is not inconsistent with the respect which I feel for those bodies to assert, that in the interest of the country and the feelings of the country, it is right that we should have a State establishment. There are three different establishments—one in England, one in Scotland, and one in Ireland. The Church establishment in Scotland, as in Ireland, is in the midst of a population differing from a great part of the population.

The Church establishment of Ireland is united to the Established Church of England and Ireland, and I contend that when the question is considered it must be by concert and combined action by the members of the Church establishment in both countries, not with a view of opposing wise reforms, but of preventing and parrying measures of a novel and dangerous character.

I think it is an error to attribute the state of society in Ireland to the state of the Established Church. I think the Church Temporalities Act of 1833 did a vast amount of good, and, I frankly admit, I shall be very willing to see the action of that measure judiciously extended by the House, though not by a Select Committee upstairs, to which I am opposed. Let me briefly show the vast benefit that Act was to the Church establishment. It abolished two archbishoprics, suppressed eight sees, and reduced the income of the remaining bishops. All sinecures were abolished; livings in which no duties were performed for three years were not filled up; first-fruits were suppressed, and Church cess levied on Catholics and managed by Protestant vestries were discontinued. The repairs of the churches were provided for, and provision was made for the augmentation of small livings, under the superintendence of a Commission. Nothing could be wiser than those arrangements for the amelioration of the Established Church; and I entirely differ from my hon. Friend the Member for Liskeard in his observations on that Commission. He spoke in strong terms of the Commission, but I do not think, that considering the large sums which they have disposed of for the benefit of the Church, they are in any way open to the accusations which were brought against them. The hon. Member for Swansea made an extraordinary statement the other night. He said that the disturbances in Ireland were to be traced to the existence of the Church establishment; that, instead of producing harmony, it prevented unity, and destroyed all chance of peace and goodwill. That statement alone is sufficient to show how utterly ignorant the hon. Gentleman was of the country and the people with whom he was dealing. What said Sir George Lewis, that profound thinker, whose loss we all deplore? He wrote a book on this subject, and he said, "The disposition to outrage in Ireland springs from causes wholly independent of religion, and it cannot be said that Roman Catholicism leads to crimes and disturbances." What said Mr. O'Connell? In 1825 he made use of a remarkable expression to show that persons of different religious persuasions could live together in peace and amity. "I always perceive," said Mr. O'Connell, "that when Catholics and Protestants of a liberal class come to know each other personally, animosity diminishes by their personal knowledge." What said Bishop Stanley? In a pamphlet which he wrote he said—

> "How often has it been asserted in England that by the entire Catholic population of Ireland Protestants are held in abhorrence, so that their very lives are in jeopardy. But I am certain nothing is more fallacious. On the contrary, left to their own warm-hearted feelings, they are inclined to live on the best of terms with their Protestant brethren."

Those are the opinions of three distinguished men, and they entirely confute the remark of that stranger to Ireland—the hon. Member for Swansea. The hon. Member for Tipperary (The O'Donoghue), in the course of the remarks which he addressed to the House the other night, said that the people of England would not endure such an application of ecclesiastical revenues in this country as was made in Ireland. Many Protestants felt it to be a monstrous grievance, and he went on to say that the proposition for which he contended was, that Ireland being a Roman Catholic nation, it was unjust to compel her to contribute to the support of a Church in whose doctrine she did not believe, and whose teachings she practically rejected. If the complaint were well founded, I should agree that it is well worthy the serious consideration of the House. But what said Sir George Lewis, who was so much referred to the other evening by the hon. Member for Liskeard?

> "It is commonly said that the Catholics feel aggrieved at being compelled to contribute by the payment of tithes to the support of a Church from the creed of which they differ. But, in fact, the Roman Catholics contribute nothing, inasmuch as in Ireland the tithe is of the nature, not of a tax, but of a reserved rent, which never belonged either to landlord or tenant."

The argument of the hon. Member for Tipperary, then, falls to the ground. As I understand the hon. Member for Liskeard, he wishes to apply the surplus revenue of the Established Church to all classes of Her Majesty's Irish subjects, and, in fact, to open up that wide question which was settled when the Appropriation Clause was abandoned in 1838. It is quite evident that no Committee would agree to such a proposal, and there is therefore no use in having a Committee.

The hon. Member made certain statements the other night which are really unfounded, and I wish to call his particular attention to them, because I am sure he will regret having used them. He said the income of the Irish bishops was £80,000 a year. [Mr. BERNAL OSBORNE: This book says £79,000.] That book is not correct. [Mr. BERNAL OSBORNE: It is the *Church Directory.*] It is as well we should state fairly what the case is. The Irish bishops receive a net income of £57,604 2*s.* 6*d.*, and the hon. Member makes that into £80,000 a year by adding the £21,621 which they pay to the Commission. I will not enter on the question whether they receive adequate payment, but the truth is that the bishops do not receive £80,000 a year, but £57,604. Another statement made by my hon. Friend according to the report of his speech in *The Times*, was that the united dioceses of Kilfenora and Kilmacduagh had a bishop with £4,000 a year, and only 686 Protestants. There is no united diocese of Kilfenora and Kilmacduagh. The former has been joined to Killaloe and the latter to Clonfert from time immemorial. Clonfert and Killaloe and their subdenominations are united in one bishopric. The income is £3,310 a year, and this bishopric extends over all Clare, one-third of Galway, and parts of Tipperary, King's County, and Roscommon, having a population not of 686, as the hon. Gentleman alleged, but of 15,906 Protestants. There is another statement of my hon. Friend which I will notice. He held up the Commissioners to the contempt of the House, and he told us that their pay was £6,000, but the fact is that there are two paid Commissioners at £1,000, and the £4,000 goes in paying the secretary, treasurer, architect, and clerks. [Mr. BERNAL OSBORNE: No, no!] That is the fact, but my hon. Friend by his remarks intended the House to infer that these Commissioners received for their own sole purposes this sum of £6,000. [Mr. BERNAL OSBORNE: I did not.] There are many other mistatements, which, if I had spoken earlier in the night, I should have been able to refute. I am quite sure my hon. Friend made them unintentionally. [Mr. BERNAL OSBORNE: No, intentionally.] I know enough of my hon. Friend to be assured, that if I showed him he was wrong, he would be the first man to say that he regretted having made them. It is rather important that I should go a little into the statistics of the matter, for so much has been said of the dying-out of the Protestant religion in Ireland. In 1834 the population of Ireland was 7,941,000, but in 1861 it had sunk to 5,770,000—that is, there was a diminution of 2,165,000 in that time. But it is a singular fact that the great diminution took place in the numbers of the Roman Catholics. The number of Protestants, of course, diminished also; but the great falling-off was in the Roman Catholics. In 1834 the Roman Catholics were 80 per cent of the whole population, and in 1861 they were only 77 per cent. The Established Church in 1834 was but 10 per cent of the whole, but in 1861 it was nearly 12 per cent, showing a relative increase in favour of the latter of 2 per cent. I do not think that that is any argument for interference in a question which we settled in 1834 and 1838. My hon. Friend referred to the number of bishops. In 1834 there were twenty-two, and the whole amount of their incomes was £150,000; but by the action of Lord Stanley's measure the number was reduced to ten, and their income is £57,000. My hon. Friend also referred to church accommodation, and, quoting from that book of his, he endeavoured to show that there was a great deal more Church accommodation than was requisite. I have gone most carefully into this point, and I find that while you have in Ireland 691,000 members of the Established Church, you have only accommodation for 372,427—that is to say, there is really not church accommodation for half the population. My hon. Friend said also that the clergy in Ireland were too highly paid, and he drew a comparison between the clergy and their respective congregations in the two Churches of England and Ireland. In England, he says, there are 2,612 people to every clergyman, while in Ireland there are only 325 people to a clergyman. But the truth is that my hon. Friend, in taking the English population, included the Protestant dissenters of all denominations, who are more than a third of the population; and the real state of the case is this:—In England, you have 10,620 parishes, and the number of persons to each parish is 598, while in Ireland it is 431. Therefore, in reality the difference is not so great as my hon. Friend would lead the House to infer. But he says the clergy in Ireland have too large revenues at their command. The total sum given to the working clergy of that country is £320,000 a year. Your armour-plated *Warrior* cost you from £360,000 to £400,000; and surely it is not too much to give to the ministers of your establishment in Ireland a less sum than one of your vessels of war costs you. You must recollect, too, that in Scotland where the voluntary system prevails, the clergy are absolutely paid more than in Ireland. [Mr. HADFIELD: Hear, hear!] I am not an advocate of the voluntary system—far from it; but it is a fact that under it in Scotland the clergy get more than the clergy of the Establishment in Ireland. Does the hon. Gentleman know what the revenues of the Establishment in England are? The revenues of the Established Church in England exceed £4,000,000, and that for 9,000,000 to 10,000,000 of worshippers is certainly a large sum to expend. It is unjust, therefore, to urge this charge against the Establishment of Ireland. You cannot separate the two branches of the Established Church; and if you wish to deal with the endowments and with the revenues of the Irish Church, you must, enter into a wider field, and deal with all endowments given by the State.

It is very desirable that in a matter of this kind you should endeavour to obtain the opinions of those who, from their position, are best able to give an opinion upon it. We have had the opinions of hon. Members of this House. We have had the opinions of gentlemen in Ireland, and I wish to draw the attention of the House to the opinion of those who are at the head of the Roman Catholic Church. On the 6th of May, the chief authority of that Church in Ireland, Dr. Cullen, published a letter to his clergy in reference to this debate. After stating that the Protestants have dwindled away since 1834, whereas in reality they were more in 1861 with reference to the entire population, he goes on to make this remarkable statement—

> "The income set apart for this declining church is probably ten times as large in proportion as what is allowed at present for the maintenance of the clergy in any country on the continent of Europe."

He goes on to say that both Earl Russell and the Earl of Carlisle have denounced the existence of the Establishment in Ireland as a standing insult to sense and reason; and further on he says—

> "Can we reconcile ourselves to the existence of an establishment which proclaims the Bible and nothing but the Bible as its rule of faith, and grants to every one the right of thinking and acting as he wishes in religious matters?"

Now, that is precisely the ground on which we stand by the establishment. I know no stronger answer that can be given to this observation of Dr. Cullen on the Protestant Church than the language of the late Prince Consort. In one of his addresses, His Royal Highness said—

> "I have no fear, however, for her (the Church's) safety and ultimate welfare, so long as she holds fast to what our ancestors gained for us at the Reformation — the Gospel and the unfettered right of its use. I feel persuaded that the same earnest zeal and practical wisdom which has made her political constitution an object of admiration to other nations, will, under God's blessing, make her Church likewise a model to the world."

I set the opinion of the late Prince Consort against that of Dr. Cullen, and I am quite sure that the Prince Consort's is the correct one. Dr. Cullen attacks the Church Establishment in Ireland, because, as he says its revenues are ten times greater in proportion than the sum allowed for the maintenance of any clergy on the continent of Europe. Directly I heard that statement I sent to Rome, and I sent to Naples, to ascertain whether it was founded on fact. The result is most remarkable. I find that the population of the Neapolitan State is 7,060,618, and to watch over the spiritual welfare of this population, there are twenty archbishops and seventy-seven bishops. This is exclusive of Sicily. I find also that there are 1,020 establishments for men, containing 13,611 monks and laymen; that there 276 convents; and, in fact, from authentic information which I have received, I find that the Neapolitan Church in 1860 had in its service 70,000 individuals. And yet Dr. Cullen tells us that the Church in Ireland has a revenue ten times larger than any church on the Continent. But I will take the case of Rome itself, which is still more remarkable. I have not been able to obtain information of a later date than 1840, since which, as we all know, three-fourths of the Pope's subjects have thrown off his temporal authority and transferred their allegiance to King Victor Emmanuel. But in 1840 the population of Rome was 153,000. The number of ecclesiastics, monks, nuns, and seminarists, was 5,273, or one ecclesiastical person to every twenty-nine of the population; while, in what were then the States of the Church, there were 1,824 convents for monks and 612 convents for nuns. In fact, when Archbishop Cullen made that statement, evidently with the intention of lowering the Irish Church Establishment in the eyes of the world, he could not have been aware that in the Neapolitan States, as they were then called, and in the States of the Church, there was such a state of things as these facts disclose.

I am unwilling, Sir, to prolong my observations, and I apologize to the House for having taken up so much of its time; but there is one other remark which fell from the hon. Gentleman to which, with the permission of the House, I am desirous of adverting for a moment. I refer to his allusion to my attendance at a meeting in London with respect to the Church in Ireland. I trust I shall always be prepared, frankly and fairly, to give explanations as to my personal and political conduct, whenever they are legitimately called for. I consulted my noble Friend at the head of the Government as to whether he thought I had done wrong in taking the course I then pursued, and he assured me that in his opinion I had not. I may further tell my hon. Friend, and other hon. Gentlemen who may agree with him, that when I went to that meeting, with respect to which he sought to throw blame upon me, accusing me of going there for the purpose of making converts, I went solely to listen to the speakers whose names had been announced. And when I saw in the list sent to me the name of one of the most eminent Members of this House, who certainly would not have laid himself open to the charge of being a bigoted and intolerant man —I mean the hon. and learned Member for Belfast (Sir Hugh Cairns), coupled with the names of the primates of England and Ireland—I felt that there could be no possible harm in my attending a meeting in which such men were to take a part. What I did on that occasion I am prepared to stand to. What I then said had more particular reference to the working clergy of Ireland, and I remarked, that although, as my hon. Friend observed, there are many of the clergy of that country who have not sufficient scope for their abilities, yet, nevertheless, as every man must acknowledge, there are among them many shining lights, and many who are doing that missionary work out of which the Church has grown, and that will be admitted by all who are conversant with the efforts of the Irish clergy. But I must say that I would infinitely prefer to sit below the gangway or in any other part of the House in order that I might advocate, according to the true feelings which I entertain, that which I believe to be for the interests of morality and the prosperity of the country, rather than that by occupying a place on these benches I should be supposed to surrender one iota of that legitimate influence and independence in regard to politics which every man in this country is free to hold and exercise, and which our Parliamentary system of Government was never intended to diminish. I will not, however, further allude to the subject than to say, that I am sure that the feeling of the House will be with me when I say that my going to listen to that which I thought might be for the benefit of Ireland can in no way be construed into an offence against the Government or the country with which I am politically connected.

Sir, in my humble judgment, the revenues of the Irish branch of the United Church are not more than sufficient. I think the clergy of Ireland are not less deserving than they used to be either of the consideration of Parliament or of the revenues they possess. I feel, therefore, satisfied that the House will concur with my right hon. Friend the Chancellor for the Duchy, when he asserted that the Government could not give its assent to the Motion of my hon. Friend. It is impossible upon public grounds—to say nothing of the time at which it is made—to agree to that proposition. But I must tell my hon. Friend, if he be in earnest, and I presume he is, that he is dealing with a subject the magnitude of which he does not appear to have sufficiently contemplated. In dealing with the Established Church of Ireland you are not dealing with a mere excrescence or a growth of yesterday, but with an institution which has existed for ages in that country. We all know that you may transplant the tender sapling, and it will still thrive in the soil to which it has been removed. But to upheave the deep-rooted oak, or to lop it of its fair proportions and giant limbs without detriment to its vigour, is a work to which the skill and ingenuity of man cannot easily attain. So it is with the Established Church of Ireland. It was founded by the zeal and the piety of our ancestors; it has been sanctioned by Parliament and by the Coronation Oath of the Sovereign; and, above all, it has been confirmed by the attachment and veneration of many generations. But I will tell my hon. Friend, in conclusion, that an attack upon the Church Establishment in Ireland is but a necessary preliminary to an attack upon the Church Establishment in this country; and I maintain that any successful attempt to divide the revenues of the Irish Church among all classes of Her Majesty's Irish subjects ought to be immediately followed by a Motion for the alienation and secularization of the revenues of the Church Establishment in England. Indeed, to be consistent, you ought to go further and do away entirely with Church Establishments. You ought to adopt that voluntary system which prevails in America, but which I would not prefer to the system which has so long flourished in this kingdom. And I must say, that if this question is to be agitated again, either in the present Session or in the next, it is time for us, no matter on what side we sit, frankly to declare our opinions and to choose our party for this struggle. I, for one, unhesitatingly affirm, that if that moment has come, I shall be found—ay, and acting under the advice and guidance of the noble Lord at the head of the Government—I shall be found contending on behalf of those principles which for two centuries and more have ever been—and God grant they may long continue to be!—the centre of loyalty to the Throne and the bulwark of civil and religious liberty.

Mr. HENNESSY said, the right hon. Gentleman had just made a statement which would attract great attention in Ireland, and which ought to be of some interest to the House. He had told them, that when he attended the recent meeting, about which he had said very little, but which was an event of some importance in his political career, he had consulted the noble Lord at the head of the Government before doing so.

Sir ROBERT PEEL: What I said was, that after I had seen my attendance at that meeting called in question, I asked my noble Friend if I had done wrong, and he said "Certainly not."

Mr. HENNESSY said, he presumed, then, that the noble Lord gave the right hon. Gentleman absolution. The noble Lord and the Government generally, then, were responsible for the conduct of the right hon. Baronet on that occasion. What had been the result of that conduct? Why were the benches on both sides the House so full that night? Why was it that, as had been said in the course of the debate, a warfare was springing up between the two great religious bodies in Ireland. The Chief Secretary attended that meeting, and moved a resolution of thanks to the chairman and the committee who conducted the operations of that society in London. Let the House remember that that chairman was Mr. J. C. Colquhoun, and bear in mind what was the language in which that friend of peace, speaking in Exeter Hall, addressed the people of Ireland. In his speech the gentleman, using a military phraseology, said, "We must have a plan of the campaign, a regular scheme, munitions of war, and, above all, strong places from which to march, and on which to fall back again." He spoke of the artillery which would be required for the work in which they were engaged, and described the work as a great scheme of controversy against the Church of Rome. He said that the Irish Church, from being passive, had taken the field of controversy, and the result was that a "furious warfare was now going on between the Church of England and the Church of Rome." But in spite of the military language of the chairman, and in spite of the speech of the right hon. Baronet, the West Connaught Society was a doomed one. No less an authority than the Irish census had struck it a blow from which its balance-sheet showed that its funds had not recovered. In a book called *Good News from Ireland*, Mr. Garrett, the Secretary of the West Connaught Society, gave an account of its progress, which account was of itself a condemnation of the whole system. Speaking of a place called Palnathomas, Mr. Garrett said that it had been "a painful scene of uncertainty." The same remark applied to the various missionary stations to which that gentleman referred. Making an appeal for Bullnahinch, he said, that even if £50,000 were required for the mission there, he must call on his friends to come forward with an endowment quickly, solemnly, and generously. He could imagine the right hon. Baronet coming forward quickly, the hon. Member for North Warwickshire (Mr. Newdegate) coming forward solemnly, and his hon. Friend the Member for Chippenham coming forward generously with the £50,000 to endow Bullnahinch. That book showed nothing but wreck and ruin, empty churches, and dilapidated school-houses. The question of Irish Church missions, banished for some years from the arena of that House, was re-introduced on account of the support given by the Chief Secretary for Ireland to that which was worse than an imposture, and which led to breaches of the law and of order. It was said that the schools were full, but how were they filled? Lord Plunket, the president of the West Connaught Mission, established missionary schools on his property, and compelled his tenants, on threat of eviction, to send their children. And Mr. Townsend stated at the trial which took place that the object of these schools was to bring up these children as Protestants. To justify himself, Lord Plunket published a list of tenants evicted, and the reasons for evicting them; and among them were the names of several persons evicted for assaulting Scripture readers. ["Hear, hear!"] The hon. Member for North Warwickshire (Mr. Newdegate) cheered that statement; but had he read the severe condemnation passed on Lord Plunket for his conduct on that occasion, by the leading organ of public opinion? All these missionary schools were failures, and had led to violence. He had never joined in any attack upon the church of England, and he rejoiced to say that on one occasion, when the Speaker gave a casting vote against the Church Rates Abolition Bill, one Roman Catholic Member did not vote, and that was the hon. Gentleman who was then addressing the House. At the meeting which had been alluded to, it was said that the converts might be counted by tens of thousands, and Dr. Wordsworth, in his Irish Mission, spoke of 30,000 converts in West Connaught. Now, what was West Connaught? It comprised the western part of the counties of Galway and Mayo, and part of the diocese of the Bishop of Tuam. He found, however, that in that district the Returns showed that the Protestant population had fallen off 25 per cent, from 22,765 in 1834, to 17,156 in 1861, while the total diminution of the Protestant population, in all Ireland, in the same period, was but 19 per cent. Again, the Protestant marriages in the counties of Galway and Mayo had fallen from 203 in 1851, to 104 in 1861, or nearly 50 per cent. During every year that these missionary societies had been at work, the Protestant population had fallen off; and how could that fact be reconciled with the astounding statements of conversions by tens of thousands? The Protestant gentry of Kilkenny had shown their opinion of those societies by addressing a memorial to the Bishop of Kilkenny, praying him to have the missionaries withdrawn from the town of Kilkenny, because their presence created ill blood and provoked disorders. The operations of these societies had been described in the *Church Review*, a review edited by a distinguished dignitary of the Church of England, as tending to religious rows and broken heads—that placards headed "Rome the Babylon," "Rome the Mother of Harlots," &c., necessarily provoked retaliation, and the usual result of a missionary appearance in a town was the calling-out of the military, while the crowning triumph was the condemnation of a certain number of Roman Catholics to fine and imprisonment. He appealed to the common sense and justice of England, whether it would maintain a system that resulted in figures, fighting, and a shriek for money.

Sir HUGH CAIRNS: Sir, the hon. Member for Tipperary (The O'Donoghue), in the course of his observations on Friday, deprecated the idea that a speech upon this question should provoke the laughter or excite the amusement of the House. I could not help thinking that the hon. Gentleman directed his observations to the speech that immediately preceded his own—that of the hon. Member for Liskeard (Mr. B. Osborne). But I must say I entirely agree that the question is one of gravity and importance, and that it should be treated with all the seriousness that such a subject deserves. If I must mention another important ingredient which I think is required in the consideration of the subject, I should say that ingredient was precision and accuracy as to facts. If the House will indulge me with as much of its time and patience as the importance of the subject deserves, I will satisfy them, that conspicuous as the speech of the hon. Member for Liskeard (Mr. B. Osborne) was as a fund of hilarity, it was still more conspicuous for the absence of that precision and accuracy which such a subject demands. The first point is to ascertain precisely what is the end aimed at by the different propositions that have been made. The hon. Member for Swansea (Mr. Dillwyn), whose Motion on this subject was withdrawn in order that the House might proceed with that now under consideration, proposed to affirm that there was a surplus of revenues belonging to the Church of Ireland, and that it ought to be appropriated to secular purposes or to the general purposes of the State. The hon. Member for Liskeard said that he did not wish to take away any part of the revenues of the Church, but only to re-adjust or re-adapt those revenues; but he had scarcely sat down, when the hon. Member for Tipperary got up, and returned thanks to the hon. Member for Liskeard for rendering such effective service towards the overthrow of the Irish Church, because the Irish people would not be satisfied without perfect equality in regard to all endowments in that country. An hon. Gentleman also on the other side (Mr. Grant Duff) has to-night reminded us of the saying with regard to a celebrated city of antiquity, and he wanted to apply the same rule to Ireland.

Now, it is important for the House to know the real facts of the case, and I will take the view of the hon. Member for Liskeard, who says that the revenues of the Church in Ireland are excessive in amount, having regard to the duties the clergy have to perform. [Mr. BERNAL OSBORNE: Hear, hear!] I am glad, as there are so few points of agreement between us, that, at all events, we agree on the basis of the argument. With reference to the revenues of the Church of Ireland, let me remind the House that a Return laid on the table, on the Motion of the hon. Member for Swansea, would very much mislead the House. It says that the revenues of the church amounts to £580,000 in round numbers. But from that sum a great number of deductions have to be made. The Return includes the taxes which the various benefices and bishoprics have to pay to the Commission, and which are laid out in other parts of the various dioceses. In this way the Return is some £30,000 or £40,000 overstated. There are some minor deductions to be made besides, and the effect of these deductions we shall see in a moment. I will illustrate this by two statements, neither of which admits of dispute. With reference to the financial state of the Church of Ireland the hon. Member for Liskeard quoted the authority of Archdeacon Stopford; and what does he say? In his larger work on the Irish Church he made a calculation in this way—he takes the whole revenues of the church, the whole value of glebe lands, of the rent-charges, and the income of the various bishoprics, and after making the proper deductions, he comes to the conclusion that the net sum from every possible source available for expenditure on the part of the Church in Ireland is £510,000 a year. Now, a gentleman, formerly a Member of this House, Mr. Serjeant Shee, whose name should always be mentioned with respect for the many excellent qualities he possesses, wrote on this subject, and he said, "I do not wish to despoil the Established Church, I wish to pay every beneficed clergyman and bishop a proper remuneration," and he laid down the scale on which he would pay them. What will the House suppose was the total to which the payments Mr. Serjeant Shee would make to the various clergymen and bishops of the Irish Church amount to? The total was £589,000 a year—exactly £78,000 a year more than the whole net income of the Established Church of Ireland. Therefore, on these two calculations—one coming from a gentleman whose accuracy the hon. Member for Liskeard justly extols, the other from Mr. Serjeant Shee, whose authority cannot be disputed—instead of their being a surplus of revenue beyond what is adequate for the remuneration of the ministers of the Established Church in Ireland, there is a deficiency of £78,000 a year.

Sir Hugh Cairns

I will give you another calculation. The number of incumbents in Ireland is 1,530, and the net parochial income of all the clergy in Ireland is exactly £370,000 a year; and without deducting the sums paid for curates, the sum given to each incumbent is exactly £210 a year. That is not the whole of the case. Reference has been made to England; but if you take the number of square miles in England, and the parishes in which there are incumbents, there is an average for every benefice of five square miles; but in Ireland the average is twenty square miles to each benefice. So that you pay in Ireland an average of £210 a year to a clergyman for doing duty, not over five square miles, as in England, but over twenty square miles.

The hon. Member for Liskeard says £210 is not a large sum for a clergyman, but what he objects to is that this clergyman has no flock. Now, what are the facts of the case? Let me compare England and Ireland in that respect. You have not a Census for 1861 of religious denominations in England, and hon. Gentlemen opposite know very well to whom we are indebted for that. Sufficient is known, however, for the purposes of this discussion. But what is the number of Episcopalians in the towns of Ireland. In 17 towns in Ireland there are over 10,000 inhabitants; the Episcopalian population is 114,295.

72 parishes out of 1,572 belong to these towns. That gives 1,590 Episcopalians to each parish. As far as these towns are concerned, it is incorrect to say that there is not in each parish a sufficient number of Episcopalians to require the services of a minister. In the rural parishes of England, by the Census of 1851, out of those attending public worship on a particular given day, 9 out of 19 were Episcopalians; in Wales 6 out of 25; and applying this ratio, we get for each country parish in England 387 Episcopalians; in Wales 248. In Ireland there are 1,500 rural parishes for 564,576 Episcopalians, or 376 for each parish. Ireland, therefore, stands middle between England and Wales, very far lower than England, and higher than Wales. That puts an end to the argument of the hon. Member for Liskeard; but he says that may be the average; but there are individual parishes in which there is a very much smaller number of Episcopalians. Then I say you find the same thing in England. The hon. Member is very fond of looking at clergy lists. Let him go to the English *Clergy List*. He will find 500 parishes where the gross population is just over 100 souls, and, taking three-fifths to be members of the Church, between 50 and 60 Episcopalians.

The House should understand, that being anxious for the well-being of the Church of Ireland, I do not desire to resist alterations in the finances of the Established Church in that country. I say, where there are inequalities to redress—where, from change of circumstances, a different adjustment of ecclesiastical property is desirable, just as you do every day in England, the same rule ought to be applied in Ireland. The same rule has been applied in Ireland since 1833 or 1834, and I do not see why the same principle should not be continued. But as the hon. Gentleman talks of inequalities, I ask you to go further than the right hon. Baronet has gone, lest the inaccuracies he has overlooked should be considered as facts. The hon. Member for Liskeard stated that the archbishops and bishops of Ireland have an income amounting to £80,000. The House will find their net income falls very far short of that. [Mr. BERNAL OSBORNE: I said their gross income.] The hon. Member says "gross" now, but the hon. Member did not say "gross" on Friday night. The difference between their gross and their net value is exactly £22,000 a year. Upon the same principle, he might as well say that the Bishop of Durham receives £25,000 or £28,000 a year. The Bishop has a gross revenue of that amount, but he pays more than half of it to the Ecclesiastical Commissioners; and the incomes of the Irish bishops are subject to deductions of exactly the same kind. [Mr. BERNAL OSBORNE: Where do the deductions go to?] I will tell the hon. Member where they go to; and I am very glad he puts the question, because the hon. Member is in the act of acquiring information which otherwise he would never have obtained. The deductions go to the Ecclesiastical Commissioners, and are by them applied to the augmentation of small livings. I put it to the House whether, in their judgment, it was a fair representation to hold up the archbishops and bishops of Ireland as dignitaries who were receiving and spending £80,000 a year. That is not all. The hon. Member said, "Look at the thousands to whom every English bishop attends, who are under his jurisdiction and under his care, and contrast that with the case of Ireland." What did the hon. Gentleman do? There are in England twenty millions of inhabitants; it is not exactly ascertained how many of them belong to the Church of England. Some say twelve millions, some ten, and some even less. The hon. Member took the whole twenty millions, and divided the bishops of England into that; he then divided the bishops of Ireland not into the gross population, but into the Episcopalians of Ireland, and he instituted a comparison between one and the other. I pass to another inaccuracy of the hon. Gentleman. The right hon. Baronet the Chief Secretary referred to the point, but I must ask the House to look at it a little more closely. The hon. Member for Liskeard said, "The united diocese of Kilfenora and Kilmacduagh, in which there are about 686 Protestants, have a bishop at £4,000 a year and the usual staff." The Chief Secretary has told the House that no such diocese exists; it is the name of some former diocese which has been united with Clonfert and Killaloe; and the total number of Episcopalians in the diocese for which the Bishop receives £4,000, are not 686, but 15,907. As the hon. Gentleman is deriving great information from these facts, he must allow me to give him one or two more. He went on to say:—"In the diocese of Waterford and Lismore, with which I am intimately acquainted, there is a population of 134,336, of whom 5,000 belong to the Established Church;" and he asked, "Why should

5,000 people make a diocese, with a bishop receiving £5,000 a year?" This is the hon. Member's own diocese, and surely he ought to have some personal knowledge of the facts. But what do I find? Waterford and Lismore are united to Cashel and Emly, for which the bishop receives £4,600 a year, the Episcopalians being in number, not 5,000, but 13,853. Let me go a little further. He said—and this was a striking statement— in England you have a clergyman for every 2,612 persons; in Ireland one for every 325. Let me first correct him as to Ireland. I have shown the House that in towns the number is one for every 1,590, and in the country one for every 376. But how did the hon. Member calculate with regard to England? I commend it to the House as an arithmetical exercise of the most ingenious description. There is a gross population of 20,000,000, and there are in the Church in England, in round numbers, 18,000 clergymen. The hon. Member divided 18,000 into the 20,000,000; but even that was not enough, for it would only bring out a quotient of somewhere about 1,000; so he doubled the quotient, and added 600 more to it. I commend that to the House as the most wonderful feat in arithmetic that was ever performed for its enlightenment. I cannot conceive how the hon. Member, having the Returns before him, can ever have arrived at such a result.

I come next to a statement, which, proceeding as it did from an hon. Gentleman having some acquaintance with Ireland, surprised me very much. In the diocese of Meath, he said, the population is 110,000, of whom but 6,500 are Episcopalians. Now, will it be believed that he has made this mistake. He has taken the county of Meath, and he is under the impression that it is co-extensive with the diocese. If he had looked at the Return of the diocese, he would have found that the Episcopalians were not 6,500, but 16,300, being a slight difference of nearly 10,000. These are the data upon which that very interesting and amusing statement was founded, which delighted the House so much, and must have given to many hon. Members who were not aware of the real state of the case a very singular impression with regard to the state of the Church. But I have not done yet. The hon. Member said he would go into detail with regard to the see of Meath. He took the living of Kells, held by Archdeacon Stopford, and he made out, from the *Irish Church Directory*, that the parish church contained 500 sittings, that there were only thirty-one Episcopalians, and that the living was of £1,151 a year. I will own I was a little startled by that assertion. It seemed to me not very probable; but, of course, I thought the hon. Member looked into the Returns. Will the House believe the series of blunders which are involved in this statement? In the Return made to Parliament, which deals with towns in Ireland having more than 1,500 inhabitants, the hon. Member finds Kells mentioned—not the parish of Kells, but the town of Kells. Even then he cannot quote the Return accurately, for he puts the number at 31 Episcopalians, whereas the Return says 331. Episcopalians. But that is not all. The town of Kells has nothing to say to it. The church is the church of the parish of Kells, and the parish of Kells goes round the town for square acres or square miles, and every one knows that in Ireland the places where the Protestants live are in the town parks and green fields, upon property immediately adjacent to the town, not in the houses of the town, where the numerical majority is always in favour of the Roman Catholics. The question, therefore, is not what does the town of Kells, but what does the parish of Kells contain? and that point the hon. Member never touches at all. Then, as to the value of the living. The hon. Member said this was the living of Archdeacon Stopford; and he praised his works, and said they were most instructive to any one who read them. I wish to goodness the hon. Member had read them—because he would have found that the living of Kells was one of those upon which the Archdeacon commented, and not without a little bitterness of feeling, for he shows very clearly, that although returned as being of the value of £1,151, after making the deductions which have to be paid the value is exactly £491 a year, and out of that he has to pay a curate besides.

I now come to a nucleus of errors. The hon. Member takes Cavan, Cahir, Carrick-on-Suir, Ballinrobe, Westport, Killaloan, Kilrush, and other towns; and he goes to the *Irish Church Directory* and says, "I find in each of these towns so many sittings, 300, 400, or 500, and so many Episcopalians, sometimes 50, sometimes 60, and sometimes 150, but in every case the number of sittings quite disproportioned to the number of Episcopalians." He has fallen into the same error in every one of these cases of taking the town or place for the parish, though, of course, it is for the parish that the churches are built. I will give the House one instance I have been able to lay my hand upon in the short time which has elapsed since the hon. Member's speech, and it will illustrate the inaccuracies of the whole of his statement. I take the case of Tuam. The hon. Member said it contained 257 Protestants, the value of the living being £623. The fact is, that in the parish of Tuam, where there is church accommodation for 300 or 400, there are 640 Episcopalians; and the net value of the living, in place of being £623, is fixed by the Commission at £320 a year. I have yet another mistake to point out, and, as it has been alluded to to-night, I am bound to set it right. In the diocese of Cork he takes five clergymen—the rectors of Rahan, Mourne Abbey, Clenore, Carrigamleary, and Clonmeen, and he says he finds all these living in pleasant, nice Mallow, away from their parishes. To use his own words, "That is the picture presented by this book." Let us see what are the facts. Mallow is down in the *Directory* as the post town of these five parishes. As to four of these parishes, there is no glebe on which the rector could live, and so he lives in the town; and that is the great case of non-residence which the hon. Member found in the diocese of Cork. Then there was the case of Mr. Bolster, of a place which I hardly like to trust myself to pronounce—Killaspugmullane. The hon. Gentleman said, it was the hardest name in Ireland, and that was almost the only correct statement in his speech. He said Mr. Bolster resides at Glanmore, which is a great way off. The fact is, that Glanmore is the post town; it is only a mile and a half distant, the parish has no glebe, and Mr. Bolster lives in the nearest house to his parish. The hon. Gentleman said, "I agree to your averages." He does not deny that every rector has only £200 a year, and that he has a certain number of Episcopalians in his parish; but he says, it is ridiculous to suppose that there is any call in Ireland for a Church at all. I believe I am right in saying, that nine out of ten of the hon. Gentleman's alleged facts are erroneous, and I do not doubt that the tenth is erroneous too.

The hon. Gentleman, assuming that there are changes in the population of Ireland, asks us why we oppose this Motion? I will tell him exactly why. I say his Motion is not made to amend or improve the Church of Ireland. The other day the hon. Gentleman had a Motion to destroy the parochial system of the Irish Church, and change it to a congregational system. Let me point out the powers which now exist for the reform of this Church. The Lord Lieutenant in Council has two remarkable and important powers. When a sinecure falls vacant, he may suppress it; and when any parish of more than £800 a year value is vacant, the Lord Lieutenant may divide it. That is the kind of measure the Church requires. In the parish of Belfast there are 30,000 Episcopalians—about one twenty-third of the whole number in Ireland—and what are the parochial endowments of that parish? They do not exceed £500 a year, or one eight-hundredth of the whole endowment of the Church. That is not an excessive endowment, and I should be very glad to see a proper method of dealing with such cases. But the proper way of doing so is with the advice, the co-operation, and the assistance of the heads of the Church, and they are anxious to give their co-operation. It might be done, also, by means of the Ecclesiastical Commissioners, and their powers might be advantageously enlarged for this purpose.

I must not leave the hon. Member for Liskeard until I have corrected his statement about the Ecclesiastical Commissioners, who are very respectable men, and who have done their work exceedingly well. The right hon. Baronet referred to the salaries of the Commissioners. There is a Return of their salaries before the House. There are only two Commissioners in the receipt of salaries, and they receive £1,000 each. The hon. Member for Liskeard, who had the Returns in his hand, said there were three Commissioners who received salaries, and that they were proper and discreet men. He told the House they received £6,000 in salaries, and that they managed the Church property under their control in the most expensive and extravagant way. But what does the Return, which the hon. Gentleman had in his hand, say? It shows that this sum is for the salaries of the Commissioners, the secretary, the treasurer, and all the clerks of the establishment. [Mr. Bernal Osborne: I read that.] No, I beg pardon, the hon. Member did not read that. He must excuse me. He could not have read it even to himself, for he said they received £6,000 in salaries. Did he read the next

Return? He said that for rent and coals the Commissioners paid £909 a year. I was astonished that this sum should be paid for the rent of a house in Dublin, and I looked at the Return, and what did it say? That this sum of £909 covers rent, coals, supernumerary clerks, repair of house, taxes, insurance, and other incidents. In fact, the establishment expenses of the Commission, which manages nearly 150,000 acres of land, spread over the whole of Ireland, are £7,000 a year in all—a sum as moderate as I have ever known spent by a Commission of the kind. Then the hon. Member said, "Just look at the next item, £36,000 for the ceremonials of the parish churches." Some one asked, "What are these ceremonials?" And the hon. Member for Liskeard replied, "Organ-blowing and things of that kind." What is the fact? There are no church rates in Ireland, vestry cess is abolished, and the care and working of the organ and the fuel are thrown upon the central fund in the hands of the Commissioners. The expenses are £36,000 in all, and this gives an average of £22 10*s.* a year to each parish to pay the sexton, the clerk, the care and working of the organ, and the fuel. I should like to know in what church in England all this is done for so little money.

The hon. Member for Elgin (Mr. Grant Duff) tells us that the Church of Ireland has not answered the purpose for which it was established, and ought therefore to be abolished. But what is the test of a Church having answered the purpose for which it was established? I will not indulge in any flights of imagination; it is by facts this matter should be judged. We have got a Return moved for by my right hon. Friend the Member for Dublin University in regard to population. We are told that the numbers of the Episcopalians have diminished, and we are asked to accept this as a proof that the Church has not acted up to its duty. But this Return puts the matter very shortly and very clearly before us. According to the Census of 1834 there were 100 Roman Catholics to 13¼ of the Established Church. In 1861 to 100 Roman Catholics there were 15½ of the Established Church. So that the members of the Established Church are relatively a larger body than they were in 1834. If we suppose that the ratio of 1834 had continued, there would be 70,000 fewer Episcopalians than there actually are, or, in other words, there has been a relative increase of 72,000 members of the Established Church. In the Census of 1834, 40,000 Methodists were reckoned as members of the Established Church. Add them to the calculation, and you have relatively 110,000 more Episcopalians than you had in 1834. The hon. Member says that the Church of Ireland has failed as a missionary Church. But does the hon. Gentleman mean to say that all the endowments of the Irish Church ought to be taken away, because she has failed to convert the Roman Catholics; and then that in due time all the endowments are to be taken away from the Roman Catholics if they do not convert all the Protestant population? If the Church endowments are to be taken from one religion and given to another, accordingly as they succeed or fail in this respect, let us understand it clearly, and then the various bodies will know what they have to do.

I was very much surprised to hear this House made the field of discussion of the merits of the West Connaught Society; but I will say that those who object to the operations of the Society could not have done it a more beneficial service than to bring it under the notice of the House of Commons. I am sure it will do the Society more good than twenty meetings in London, even though the right hon. Baronet the Chief Secretary were to attend all of them. But what are the facts? I do not care about the 30,000 converts. West Connaught is 100 miles long and 30 broad, and twenty-five years ago there were in it 13 congregations, 7 churches, and 11 clergymen. There are now in it 57 congregations, 27 churches, and 35 clergymen. [Mr. BERNAL OSBORNE: What are their numbers?] The numbers of some of the congregations are 50, of some 100, 200, and 300, and they meet regularly in the week and on the Sunday from one end of the year to another. The hon. Member for Liskeard, though he did not challenge the purity either of life or doctrine of the Irish clergy, said they were inferior in manners and learning to the English. I do not know what opportunities of associating with the clergy in Ireland he had, for he said he had never seen the clergyman of his own parish. [Mr. BERNAL OSBORNE: He has never been near it.] Has he got a house? [Mr. BERNAL OSBORNE: No.] I have no doubt, if the hon. Member provides one, he will live there. [Mr. BERNAL OSBORNE: I will, if he pays for it.] But the hon. Member accounts for the Irish clergymen not being on a par with the English in this way—that the Irish bishops ordain men who have not received a University education. But is that the rule, or the exception? I know it is a matter of frequent occurrence in England; and when it cannot be avoided, a man who has not got a University education is ordained just as often in England as in Ireland. The hon. Member had the good taste to refer to the schedule of the effects of a bishop who died fourteen years ago, and who held one of the sees that have been since suppressed. But that bishop was a gentleman of large private fortune. The hon. Gentleman said, when he saw that schedule, it was in one of the famine years, and it made a deep impression on his mind. But I wish he had referred to the case of the head of the Irish Church, who, for upwards of fifty years, deriving a large income from the Church, and possessing a princely fortune in his own property, expended both upon the Church of which he was the head, and which will never cease to mourn his loss. And if matters connected with the famine are referred to, I wish the hon. Gentleman had thought of the part taken by the members of the Established Church—how they shared to the last shilling with their countrymen, and created a bond of affection among the people around them which will last long after the memory of the famine has passed away.

Some who support this Motion would desire to see the Established Church transfer, either the whole or a part of her revenues, to the Roman Catholic Church. [The O'DONOGHUE: No, no!] The hon. Member for Tipperary says "No!" but he said on Friday night that he would never be satisfied, nor would the people of Ireland, until something of the kind was done. [The O'DONOGHUE: I said nothing of the kind; I said I never would be satisfied, nor would the people of Ireland, until there was religious equality.] Of course, I cannot ask what he means by religious equality; but I want to know what symbol of religious inequality is there in Ireland except the Establishment, and what is the sign of that inequality except the possession of property? I am not going back now to the age of St. Patrick, although the hon. Member for Liskeard has something to learn about him; but, putting aside the question of antiquity, I say that Church has got the title of prescription, which is as good as the title of the Church of England, or as good as that by which any hon. Gentleman holds his property. I would ask Gentlemen connected with the Nonconformists, upon what grounds do they support this Motion? Upon what principle did the House pass the Dissenters' Chapel Bill, when a far less period than 300 years sufficed to make a title to which Parliament felt bound to give effect? There is a passage in the speech of Lord Macaulay at that time which I would like to read to the House. He says—

> "I could never have imagined," said he, "that in an assembly of reasonable, civilized, and educated men it would be necessary to offer a word in defence of prescription, as a general principle. I should have thought it as much a waste of time of this House as to make a speech against the impropriety of burning witches, or of trying a right by wager of battle, or of testing the guilt or innocence of a culprit by making him walk over burning ploughshares. It is in every known part of the world, in every civilized age; it was familiar to the old tribunals of Athens; it formed part of the Roman jurisprudence; it was spread with the Imperial power over the whole of Europe; it was recognised after the French Revolution; and when the Code Napoléon was formed, that very principle of prescription was not forgotten. We find it both in the East and in the West; it is recognised by tribunals beyond the Mississippi, and in countries that had never heard of Justinian, and had no translation of the Pandects. In all places we find it acknowledged as a sacred principle of legislation. We have found it among the Hindoos, as well as the Mexicans and Peruvians; in our own country we find it coeval with the beginning of our laws. It is bound in the first of our statutes; it is close upon our great first charter; it is consecrated by successive Acts of Parliament; it is introduced into the Statute of Merton; it is found in the Statute of Westminster; and the principle only becomes more stringent as it is carried out by a succession of great legislators and statesmen down to our own time. . . . Is it not clear that the principle of prescription is essential to the institution of property itself, and that if you take it away, it is not some or a few evils that must follow, but general confusion?"

I repeat that the title of the Established Church of Ireland by prescription, even if we go back no further than the last 300 years, is as good as the best title by which any estate in this country is held. But the hon. Member appeals to Lord Plunket. He was no bigot, he was not hostile to the Roman Catholic Church, and his name would be remembered with gratitude by the Roman Catholics of Ireland as long as any name can be borne in mind. Well, Lord Plunket said—

> "With respect to the Protestant Establishment of Ireland, he considered it necessary for the security of all property. He thought that there should not only be an established Church, but that it should be richly endowed, and that its dignitaries should be enabled to take their stations in

society with the nobles of the land; but speaking of it in a political point of view, he had no hesitation in stating that the Protestant establishment was the great bond of union between the two countries; and if even that unfortunate moment should arrive when they should rashly lay their hands on the property of the Church to rob it of its rights, that moment would seal the doom of, and separate the connection between, the two countries."

And what did Mr. Serjeant Shee say on the same subject? These are his words—

> "The Church by law established is the Church of a community everywhere considerable in respect of property, rank, and intelligence; it is strong in a prescription of three centuries, and in the support which it derives from the supposed identity of its interests with those of the Church of England. Nothing short of a convulsion tearing up both Establishments by the roots, could accomplish its overthrow."

The hon. Member for Elgin, and those who think with him, desire that establishments should be put an end to. But I desire the House to observe that that is not a question that concerns the Irish Church, but the Established Church of England and Ireland. And though I quite agree that there is nothing in the articles of Union to prevent you from amending the Irish Church, yet if you go upon the abstract principle of endowments, you will be obliged to deal with both Churches on the same footing, and that was what Lord Castlereagh meant when he pointed out the advantages to be gained from uniting the two Churches. He said that the Church of Ireland was a colonial Church; but once the two Churches were united, the Irish Church was put beyond attack, except upon grounds upon which the Church of England might be attacked also. The hon. Member for Swansea told us the other night that he had observed in the history of British parties, that when once the Whigs ceased to attack the Irish Church, they became a failing party. He perceived that there might be an attack on the Irish Church, and he thought that it would be very inconsistent to make that attack, when his party should be in Opposition, unless they made it while their party was in office. That was as refreshing a frankness and as candid a confession as I ever heard. The hon. Member referred to the Appropriation Clause, and we cannot help going back for one minute to that measure, and contrasting the present state of Ireland with its condition at that time. Then you had disturbance, riots, and I might also say rebellion in Ireland, if not caused, directly connected with the state of the law as it stood with respect to the revenues of the Established Church. You altered the law, and where are the riots in Ireland? You have occasionally agrarian disturbances, but there is not an instance for twenty years of disturbance in Ireland which you can connect in any way with the revenues or existence of the Established Church in Ireland. I will tell the House why. The House commuted the tithe charge in Ireland, which may be taken in round numbers at £400,000 a year, and a calculation has been made which shows that the amount of the rent charge payable by Roman Catholics in lieu of tithes is under £30,000. With regard to the tenants of Church lands and glebes, a wise and mild legislation was introduced in 1833 and 1834, in pursuance of which two-thirds of the tenants of Church lands have bought out their farms. They hold them in fee simple, having paid the purchase-money to the Ecclesiastical Commissioners. That money is in the bank, and the income is applied to the benefit of the Church, and there is no grievance attaching to Roman Catholics in connection with the Church. We are now at the last day of June, and this discussion was begun on the 19th of May. An hon. Member, in moving the adjournment of the debate, said, wait a fortnight and see what Petitions on the subject would flow in from Ireland. Here we are at the end of six weeks, and I find that the number of Petitions from the beginning of the Session to the present day, complaining of the existence of the Established Church in Ireland, is twenty-two, and the number of signatures 7,000 from 4,500,000 people. The war of the Appropriation Clause has answered its purpose, but I feel satisfied that the Irish Church would never deprecate or shrink from any attempt at amendment or re-adjustment for the purpose of improvement; but I hope the House will always resist any proposal which, under the transparent cloak of aiming at improvement, seeks to destroy and overthrow an institution which I believe to be indissolubly connected with the best hopes of Ireland and the true principles of Christianity.

Sir GEORGE GREY: The noble Lord the Member for Leicestershire on a former evening desired, after the speech of my right hon. Friend the Chancellor of the Duchy of Lancaster, that some other Member of the Government should declare what course the Government intended to take in reference to the present Motion; but I should have thought that the declaration made by the Chancellor of the Duchy of Lancaster was explicit and clear enough to render any statement from me unnecessary. He stated that the Government felt it their duty to oppose the Motion, and in that declaration I cordially concur. The noble Lord said that my right hon. Friend in announcing that decision showed but little enthusiasm in his defence of the Established Church in Ireland, and I am afraid I shall be subject to the same reproach if the noble Lord expects me to rise to any high pitch of enthusiasm in defending a system, by which in any country an exclusive Establishment is maintained for the benefit of a small minority only, while at the same time no provision is made for the clergy of the great majority. That is an opinion which I have before expressed, and to which I deliberately adhere. At the same time, I have never said or given countenance to the opinion that the Established Church in Ireland should be subverted, and it is because I concur with the hon. and learned Gentleman who has just sat down, that the present Motion, though clothed in vague and indefinite terms, aims at, not the reform or Amendment, but the destruction of the Irish Established Church, that I give my opposition to it. The hon. Member for Liskeard (Mr. Bernal Osborne) said that he merely wished to remove some of the anomalies in the Irish Establishment, and to transfer the Church revenues from parishes where there are no Protestant inhabitants to other parishes, or to inquire into the operation of the Ecclesiastical Commission in Ireland. To a proposition of that kind there might be no reasonable objection, if brought forward in a practical shape ; but what has been the course of this debate ? The hon. Member for Elgin (Mr. Grant Duff) did not conceal the fact that in supporting the Motion his intention was to destroy the Church of Ireland, and declared that the doctrine and liturgy of that Church were unsuited to any people of Celtic origin. The hon. Member for Tipperary, in an able and temperate speech, put the same construction as the hon. Member for Elgin on the Motion of the hon. Member for Liskeard, and supported it on the ground of the right of all persons in Ireland to religious equality. As he disclaimed any desire to appropriate any portion of the revenues of the Church in favour of the Roman Catholics, the only alternative which the hon. Member had in view must be that which the hon. Member for Elgin also aimed at—the sweeping away of the Protestant Establishment. The Motion before us, ambiguous and vague in its terms, has been supported by two hon. Members in speeches which clearly indicate that it is directed to the total abolition of the Church. Whatever I may think of the wisdom and policy of establishing an exclusive Church of the religion of a minority in a country, without making any provision for the religion of the majority of the inhabitants, it is impossible to get rid of the fact, that this Church has existed for centuries, has become interwoven with the institutions of the country, and could not be subverted without a revolution. That revolution I, for one, am not prepared to recommend. I deeply regret that at the beginning of the century, at the time of the Union, the wise policy proposed by Mr. Pitt and those who acted with him was not carried into effect, and that when the Irish branch of the Establishment was incorporated with the English some provision was not made for the clergy of the mass of the people. I believe it would have been accepted at that time, although the time appears to have gone past for it now. There are now these two great obstacles :—First, the progress of the feeling of hostility among the people of this country to any such measure, which would prevent any Government from proposing it, and would lead to its rejection if it were proposed ; and secondly, the repeated declarations made on behalf of the Roman Catholics that they would repudiate any such provision. We now have an Established Church of Ireland, and, I believe, it has been the means of effecting much good. I fully concur in what the hon. and learned Gentleman has said as to the learning, piety, and devotion of the clergy, who relieve suffering without regard to creed. At the same time, I cannot agree with him in saying, that because the tithe rent-charge is on land, which is chiefly held by Protestants, there is no ground for complaint. I can understand that there is ground for dissatisfaction, notwithstanding that beneficial change in the law which prevents the clergyman from coming into collision with his parishioners in the collection of tithe, because this question is, after all, one of feeling rather than money. I think good may be done by such reasonable reforms in the Church as may be deemed practicable. As to the appeal made to myself and some of my Colleagues who voted twenty-five years ago for the Appropriation Clause, on that account to support this Motion, I may say that the Motion is of a totally different character. It goes far beyond the object of the Resolution supported by majorities of the House at the time I have mentioned. The party with whom I acted then, as I have done during the rest of my political life, with the view of removing some ground for dissatisfaction in Ireland, proposed that if a surplus should be found to exist in the ecclesiastical revenues after providing for the reasonable wants of the Protestants, it should be applied to the general education and improvement of the Irish people. I believe that was a sound and salutary principle. A controversy arose regarding it between the two Houses of Parliament, and after it had been repeatedly affirmed by this House, the Government, with the consent of the leaders of the Irish party, abandoned the clause, in order to remove an obstacle to practical legislation. The Tithe Act was then passed, which has been productive of great advantage to Ireland. Afterwards the Whig party, then in Opposition, instead of attempting to reverse that decision, gave their cordial support to the Bill of Sir Robert Peel, then at the head of the Government, the object of which was to provide for greater equality in the religious institutions of Ireland, by supplying the means of education for the Roman Catholic clergy. That was, I believe, only an act of justice, and we have always, at the loss of some popularity and the sacrifice of some friends, given it a hearty and consistent support. Now, to revive the discussion is only to excite acrimonious feelings without the possibility of any satisfactory result. I feel myself totally free from the obligation to support the Motion, on account of the part I took a quarter of a century ago. My hon. Friend the Member for Liskeard has himself justified me in that course. For several years he sat on this bench as one of my Colleagues; and when Mr. Miall brought forward his Motion, he acted the part of a mute, and neither by his voice or his vote expressed his dissent from the policy of the rest of the Government. For these reasons I cannot support the Motion of my hon. Friend.

Colonel GREVILLE moved the adjournment of the debate.

Mr. MONSELL said, he would appeal to the House to give fair play to advocates of the Motion, and, by adjourning the debate, to permit of a reply to the three defenders of the Church—the Chief Secretary for Ireland, the right hon. and learned Member for Belfast, and the Home Secretary.

Mr. SCULLY said, he rose to order. He submitted that the Speaker had never put the Amendment of his hon. and gallant Friend (Colonel Greville), who had moved the adjournment of the debate.

Sir GEORGE GREY said, he hoped the hon. Gentleman would proceed at once.

Motion made, and Question put, "That the Debate be now adjourned."—(*Colonel Greville.*)

The House *divided*:—Ayes 67; Noes 228: Majority 161.

Original Question and Amendment again proposed.

Mr. LANIGAN said, he would move that the House should adjourn.

Sir GEORGE GREY said, he should offer no opposition to that Motion, because its effect would be to put an end to the debate by getting rid of the Amendment to the Motion for going into Committee of Supply.

Mr. MONSELL said, that as so large a majority of the House were anxious to terminate the debate, it would be unwise not to accede to their desire. The speech of the right hon. Gentleman the Chief Secretary, was sufficiently answered by the cheers which greeted it from the Opposition, and the indignant silence with which it was received on that side of the House. The right hon. Baronet said the object of the Motion was to destroy altogether and to abolish the established Church of Ireland, but the hon. Member for Liskeard had distinctly stated that he only desired to have a Committee to investigate the present ecclesiastical establishment of Ireland, and he did not even say how the surplus revenue, if there was any, should be applied. He (Mr. Monsell) disclaimed all idea of supporting the Motion from a desire to overthrow the Established Church in Ireland. That, he admitted, could not be accomplished without a revolution, and he was not prepared to face a revolution for such an object; but, without being overthrown, its revenues might be reduced, and the surplus appropriated to other purposes. Every argument in favour of the Established Church in England told against the Establishment as it now existed in Ireland. Would the English people submit to the exclusion of the large majority of

Englishmen from a participation in the funds dedicated by the piety of their ancestors to provide for the spiritual wants of the whole people. If neither England nor Scotland would endure the appropriation of their ecclesiastical revenues to a small and rich minority, could they expect the Irish people to be contented so long as the present ecclesiastical settlement there remained unchanged. The Secretary of State was not accurate in saying that the subject had slept since 1834, because in the debates of 1843 and 1844 the leaders of the Whig party condemned the Church of Ireland, and attributed to it most of the evils from which that country suffered. Did the right hon. Baronet forget the strong language used by Lord John Russell, Lord Grey, and Lord Macaulay, the latter of whom declared, notwithstanding his respect for the rights of property, that the Church of Ireland was an intolerable abuse, and ought to be swept from the face of the earth. Did he forget the emphatic words of the noble Lord now the Prime Minister, that it was impossible that the present ecclesiastical settlement of Ireland could be permanent? What had caused the difference between the opinions of right hon. Gentlemen at that time, and their opinions in 1834? The only difference was, that there was then in Ireland a powerful agitation headed by a powerful man, and they yielded to fear what they now denied to justice. In every other respect, every change of circumstance had been unfavourable to the Irish Church. The course pursued with regard to the question by the Government would be most injurious to their own party and could not fail to strengthen their opponents.

Mr. SCULLY said, he must protest against the debate being closed that night. The House had had no opportunity of hearing the Prime Minister, who would, no doubt, adhere to his already expressed opinions; nor was the leader of the Opposition present, who had himself strongly condemned the Irish Church.

Motion made, and Question, "That this House do now adjourn,"—(*Mr. Lanigan,*) —put, and *agreed to.*

REMOVAL AND PUNISHMENT OF PRISONERS BILL.

Bill for remedying certain defects in the Law relating to the Removal and Punishment of Prisoners, *presented,* and read 1°*. [Bill 194.]

House adjourned at half after Two o'clock.

HOUSE OF LORDS,

Tuesday, June 30, 1863.

MINUTES.]—*Sat First in Parliament*—The Earl Brownlow, after the Death of his Grandfather.

Select Committee — *Report* — Railway Companies Borrowing Powers.

Public Bills—*Second Reading*—Sheep and Cattle (Scotland)* (No. 144); Postmaster General (Sale of Land)* (No. 168).

Select Committee—Drainage and Improvement of Lands (Ireland) Bill — Viscount de Vesci and Lord Silchester *added.**

Committee—Sale of Mill Sites, &c. (Ireland)* (No. 105); Oaths Relief in Criminal Proceedings (Scotland)* (No. 72); Local Government Supplemental (No. 2)* (No. 154).

Report — Volunteers* (No. 159); Regimental Debts, &c.* (No. 141).

Third Reading—Waywardens' Contracts* (No. 148); Inclosure (No. 2)* (No. 161); and severally *passed.*

POLAND—GENERAL MOURAVIEFF.

QUESTION.

The Earl of SHAFTESBURY said, that some time ago the noble Earl the Secretary for Foreign Affairs had stated, on the authority of the Russian Government, that the rumour that General Mouravieff had ordered certain ladies in Poland to be flogged for wearing mourning was devoid of foundation. He perceived from the papers of yesterday that this order of General Mouravieff was somewhat modified in its terms. It was now stated, that in the first instance the order imposed a penalty of from twenty-five to one hundred roubles for wearing mourning; but it went on to say, that if the penalty was not paid, the wearers would be subject to punishment by the knout. It was also stated that this punishment had been inflicted in some instances, and that there had been an insurrection in Wilna in consequence. He wished to know, then, from the noble Earl, Whether he had received any confirmation of the statement that General Mouravieff had issued such an order; and, if so, whether it had ever been carried into effect?

Earl RUSSELL was understood to say, that our Ambassador at St. Petersburg had been instructed to make inquiries on this subject, and he reported that General Mouravieff had imposed a penalty upon the wearing of mourning; but the account contained no statement, that if the fines were not paid, the ladies would be subjected to the knout.

AMERICA.—QUESTION.

Lord CAMPBELL desired to ask the noble Earl the Secretary of State for Foreign Affairs, if the public interest permitted him to reply, Whether, since he answered a similar Question asked by the noble Marquess (The Marquess of Clanricarde) three or four days ago, he had received from the French Government any communication, documentary or verbal, designed, or calculated, or showing any disposition to promote a common line of action between the two Governments with a view to the termination of hostilities in America? That very day the Paris Correspondent of *The Times* had asserted, with the greatest emphasis and exactness, that such a document as that to which he referred was in existence; an assertion which derived support from statements made in other quarters. Under these circumstances, he thought it was desirable their Lordships should have some information from the Government on the subject.

Earl RUSSELL: The only answer I can give to my noble Friend is that the French Ambassador called on me about an hour ago at the Foreign Office, and stated, that having heard many rumours to the effect that he had been ordered by his Government to show a communication on this subject to the British Government, he wished to say that he had received no such order.

IONIAN ISLANDS.

QUESTIONS. MOTION FOR A PAPER.

The Earl of DERBY: My Lords, in rising to make the Motion of which I have given notice—for, Copy of the Proclamation issued by Sir Henry Storks for the Annexation of the Ionian Islands to Greece —it is not my intention to enter at any length into a discussion with regard to the policy of the contemplated cession of the Ionian Islands. At the same time, I desire emphatically to protest against the language reported to have been used by the noble Viscount at the head of the Government in another place, to the effect, that as it is not a proposal to cede any part of the British possessions, but only the Protectorate of those Islands, it was a matter with which Parliament had nothing to do. Now, my Lords, I do not think I shall hear that language repeated in this House. Fortunately, the noble Earl the Foreign Secretary gave us notice last night that he does not consider it any part of his business to vindicate any course which the noble Viscount at the head of the Treasury may think fit to pursue. That certainly seems a new doctrine for a Secretary of State towards the head of the Government of which he is a Member; but still, when I consider the noble Earl's antecedents, I can hardly doubt his entire sincerity in making that statement, or that it will be adhered to with the most scrupulous fidelity. Now, I lay down this position—and I do not think that the noble Earl will contradict me—that whether a question of cession of territory or not, every act done by the responsible Ministers of the Crown having any political significance is a fit subject for comment, and, if necessary, for censure, in either House of Parliament. I said I would not enter into a lengthy discussion of the proposed cession of the Protectorate. At the same time, I must say I have a very strong opinion as to the inexpediency and impolicy of that measure. I think it is a measure likely to be disadvantageous to this country. I do not think it is likely to confer any benefit on the people of Greece. I feel certain it will be eminently disadvantageous to the Ionian Islands themselves, and not likely to contribute to the general good understanding of European arrangements. The noble Earl has expressed himself with romantic generosity upon this subject. He says "it is not for us to consider what may be the selfish interests of this country—the object of the Protectorate was exclusively to benefit the Ionian Islands—and it would be monstrous for this country to refuse to do that which is desired by the Ionian Islands themselves merely because it is the interest of England to retain that Protectorate;" and in the despatch addressed by the noble Earl to Lord Bloomfield, which has been laid on the table in the last day or two, the same representations are made. The 5th article of the Treaty of Paris of the 5th November 1815 is quoted, and the noble Earl goes on to say—

> "It appears clear from these provisions that the intention of the high allied Powers was to found in the Seven Islands a free, independent State, which, by the protection of so powerful a country as Great Britain, might develop its resources without fear of external aggression or internal anarchy."

No doubt that is one object of the treaty; but the 5th article states another object—

> "In order to insure without restriction to the inhabitants of the United States of the Ionian Islands the advantages resulting from the high protection under which these States are placed, as well as for the exercise of the rights inherent in the said protection, His Britannic Majesty shall have the right to occupy the fortresses and places of those States and to maintain garrisons in the same."

Now, if there is one thing clearer than another it is that, as mutual jealousy prevented the other European Powers undertaking the protectorate, their object was to place the Ionian Islands under the dominion of a great Power like Great Britain, and to enable Great Britain to fulfil the trust by giving her the military possession of those States. Assuming that the object of the other Powers was exclusively to benefit the Ionian Islands, the noble Earl can hardly suppose that Great Britain accepted the protectorate merely for love of the Ionian people, and not for any advantage which she might politically or in a military point of view derive. No doubt the object of Great Britain was to secure herself against the military occupation of those Islands, and more especially of Corfu, which for a considerable time she had been vainly attempting to capture, and to occupy herself a position esteemed by both naval and military authorities to be of great importance at a time of European war and especially of naval war. It has been said that circumstances have changed, and that, in consequence of the introduction of steam, the possession of a fort and harbour at Corfu is of less importance than before. I am inclined to think that the introduction of steam has rendered it of greater importance, because we require close to the scene of operations a constant supply of coal and of the materials of war, and it is of consequence that we should have a port in that quarter, where ships can refit and prepare for action, much more than it was when war was only carried on by sailing vessels. We know the importance which the first Napoleon attached to the possession of Corfu by knowing how resolute he was to retain it, and how perseveringly and successfully it was defended against us for a period of two years; and whatever value and importance were attached to its possession in former times, the importance and value must be as great, if not greater, under the circumstances of the present time. Then, I say, this uncalled for cession of the protectorate is unnecessarily and gratuitously weakening our power in the Mediterranean, and exposing us to serious loss, while positively conferring great advantage on some other Power. To Greece the possession of these islands will not be of importance or advantage. It will be very convenient, no doubt, to have the finances of Greece recruited by the surplus revenue which, under the management of Great Britain, has been obtained from the Ionian Islands, more especially as, by the arrangement to which I shall have a word or two to say presently, a considerable portion of that revenue is to be devoted to the civil list of the new monarch. I will assume that the Kingdom of Greece is sincerely anxious to carry out the programme sketched by the noble Earl as the *sine quâ non* of the cession. The programme is:—To establish a constitutional monarchy; that is done. To accept a Prince against whom there can be no reasonable objection; that also is done, because they have certainly selected a Prince to whom no reasonable objection can be made, except that from his great youth and inexperience it is impossible to foresee what kind of a ruler he will make, and how he will be able to maintain his authority and make head against popular feeling. It is also stipulated that Greece shall abstain from all foreign aggression and all ambitious designs to obtain territory at the expense of neighbouring Powers. Now, I cannot but think that in giving Greece a numerous and restless population, who avow their admiration of the aggressive principle, the abandonment of which on the part of Greece is a *sine quâ non* of the cession, political disadvantages will accrue which will more than overbalance the benefit derived from the revenue received from the Ionian Islands. With regard to the Ionian Islands, I have not the slightest doubt that they will themselves be material sufferers by the change. I do not deny that there is a strong feeling among the more restless and more disorderly portion of the population in favour of being united to the Kingdom of Greece; but reflecting men in those Islands are well aware that in losing the protection of a great and powerful country like Great Britain, and being attached to a country in such a state of disorganization as Greece now is, they forfeit material advantages, and are placed in a much less advantageous position than that they have hitherto held. It may be quite true that there is a feeling of nationality among a considerable number of the Ionian Islanders; but it is equally true that under the protectorate of Great Britain they have enjoyed a large amount of material prosperity, and that life and property have been as secure in those Islands as in any part of the world, at a time when on the adjoining coast, in the country to which they are now to be attached, the insecurity of life and property has been a matter of notoriety for years. Again, they have been under the protection of a well-organized and well-disciplined body of soldiers. Those soldiers are to be withdrawn, and if any portion of the army of Greece is to be substituted for them, I wish the Ionian Islands joy of the change. I firmly believe that the feeling is gradually and surely growing among the more intelligent, the more educated, and the more wealthy of the people of these Islands, and that before long they will express firmly and openly their sense of the mischief which is about to befall them. Again, I do not think that the union of the Ionian Islands with Greece is likely to be permanently for the advantage of Europe. I know not what arrangements have been made, or in what position it is contemplated to place this new kingdom—whether its possessions or its neutrality are to be guaranteed—but I know this, that unless some arrangements of the sort are made—if the Government of Greece is encouraged to place a false confidence in the support which it would receive from other Powers—in the event of a quarrel with a powerful nation, the very first step that powerful nation would take would be to seize on the strong post of Corfu, in spite of all that we could say, and it would be very difficult afterwards to induce that nation to give up the possession. I suppose there is no man insane enough to believe that we should have spent enormous sums in the fortification of that post, and that we should have gone to the expense of the military protection of those Islands, unless we had some direct interest in doing so. That we should have done so for pure love of the Ionian people is a supposition so absurd, that unless it had been seriously put forward by the noble Earl, I should not have thought it possible that it would enter into the imagination of any statesman. I do not wish to introduce anything personal into this discussion, otherwise I might say that I have every reason to believe that the opinions which I have expressed are or where up to a very recent period shared by some of the most considerable Members of the Government. I might quote the strong language used by the noble Duke the Colonial Secretary as to the impossibility of this country under any circumstances surrendering so important a position; and I might quote also the language of the Chancellor of the Exchequer. Still I cannot help thinking that the change of opinion which must have taken place in many Members of the Government has been somewhat sudden — rather more sudden, perhaps, than on a question of this importance is likely to be followed by the people at large, or by those who have paid much attention to the subject. The principal point, however, on which I wish for some explanation is the position in which this country stands at the present moment, and the course of proceeding which the Government propose to adopt with regard to it. The Greek revolution broke out in the month of October, and on the 12th of December, there being then no regular Government in Greece, and everything being in confusion, the noble Earl takes the opportunity of writing thus to Mr. Elliot—

> "If the new Assembly of the representatives of the Greek nation should prove faithful to this declaration, should maintain Constitutional Monarchy, and should refrain from all aggression against neighbouring States, and if they should choose a Sovereign against whom no well-founded objection could be raised, Her Majesty would see in this course of conduct a promise of future freedom and happiness for Greece. In such case Her Majesty, with a view to strengthen the Greek Monarchy, would be ready to announce to the Senate and Representatives of the Ionian Islands Her Majesty's wish to see them united to the Monarchy of Greece, and form with Greece one united State; and if this wish should be expressed also by the Ionian Legislature, Her Majesty would then take steps for obtaining the concurrence of the Powers who were parties to the treaty by which the Seven Ionian Islands and their dependencies were placed as a separate State under the protectorate of the British Crown."

In pursuance of those instructions Mr. Elliot proceeded to Athens, where he made known the mission with which he was charged. I pass over the long and fruitless endeavours of the noble Earl to find a Sovereign for the Greeks; but at last he was fortunate enough to find a young Prince who, not without some demur, though more on the part of his elders than of himself, was willing to accept the responsibility of the Greek throne, but on conditions. Those conditions, to my surprise, I find embodied in a protocol, which anticipates the whole decision which the noble

Earl had wisely left for future consideration and deliberation. The acceptance of the throne of Greece by Prince William of Denmark is there made conditional on the cession of the Ionian Islands, and on the transfer of a certain amount of their revenue to the civil list of the King. That is recorded in the protocol. It states that Prince Christian William of Denmark accepts the hereditary sovereignty of Greece, but on the express condition that the Ionian Islands shall be effectively united to the Hellenic Kingdom. Then comes a deputation from Greece; the King of Denmark accepts for Prince Christian William the throne, and the new King actually accepts the homage of his new subjects—yet during the whole of this time, however, the preliminary condition was not complied with, that we should not make any cession of the Islands until the inhabitants should, through their representatives, specially elected for the purpose, give their consent to that arrangement. I have no doubt that the Parliament to be convened will be ready to give to it their sanction, but that sanction should surely have been demanded before the arrangement was concluded. And now let us see in what position this mode of proceeding places the Powers which signed the original Treaty of 1815, establishing the British protectorate of the Islands. France was not one of them, but she subsequently gave to the treaty her assent; and it is quite true that France and Russia were parties to the arrangement under which the throne of Greece was accepted by the Danish Prince. But the two remaining parties to the Treaty of 1815—namely, Austria and Prussia, were not taken into the counsels of the protecting Powers in that matter; and Austria at all events may have considerable objections to urge to the proposed cession of the Islands. Turkey was not consulted in the case; but although Turkey was not a party to the original treaty, she gave to it her subsequent adherence in the same way as France; and her interests are more at stake than those of any other Power in the proposed addition to the territory of Greece. I say that this course of proceeding is not consistent with good faith to Austria, Prussia, and Turkey; neither is it consistent with the programme which the noble Earl himself not long since laid down. There are one or two other points connected with this matter which are of some importance, and to which I desire to direct your Lordships' attention. I find the noble Earl undertakes, on the part of the Ionian Parliament, that they shall make over to the civil list of the new King a certain amount of their revenues. Of course, that will have to be submitted to the Ionian Parliament, and their assent will be necessary. I wish to ask the noble Earl one important question. We are going to make over these Islands with the assent of the protecting Powers and the Ionian Parliament to a foreign Prince who is to take possession of the Greek throne; and I wish to know from the noble Earl whether he has taken any precaution in the arrangements he has made for securing the payment of those pensions and allowances which, on the faith of the British Crown, have been charged on the Ionian revenues for the benefit of certain persons who have served this country faithfully during the Protectorate? I am not aware that any such arrangement has been made. You are going to sell the estate; but you cannot sell it except subject to the mortgages upon it. It can hardly be argued that you have a right to cede these Islands, and leave it entirely to the consciences of those who come after you whether they will maintain tho engagements which have been entered into on the part of the British Crown. I hope I shall have a distinct declaration from the noble Earl, that in any cession of the revenues of the Ionian Islands to the new King of Greece he will require an obligation in the strictest terms that the payment of the pensions and allowances granted to those persons who have served this country faithfully shall be made a first charge on those revenues prior to the civil list or any other claim. There is another point of minor importance on which I should like some information from the noble Earl. I presume, that when we cede the Islands, we shall not hand over the extensive works which we have constructed at Corfu at so much expense. Those works will probably be demolished; for it is obvious that the Greek army, which I am told consists of 8,000 men and 4,000 officers, will find it rather difficult to garrison those extensive works. I presume, therefore, that these works will be demolished; but I want to know what you mean to do with the guns, the ammunition, and the military stores of all kinds which have been placed there, not by the Ionians, but by us, and which are, in every sense of the word, the property of the protecting Power. What are you to do with them? I do not want to put this forward as a very important part of the case; but I think it requires an answer. There is another question, respecting which I do not know whether it has escaped the attention of the noble Earl; but in a constitutional point of view it is worthy of attention, and I should like to know whether the noble Earl has consulted the Law Officers with regard to it. Some years ago a loan was made to Greece by this country. The interest of that loan was not regularly paid; but after some time an arrangement was come to, whereby certain amounts were to be paid at particular periods. Now, the money so lent to Greece was advanced out of the public funds of this country; it was raised in this country, it belongs to this country. My Lords, this money was raised with the sanction of Parliament, and the interest of the loan, and the repayments of the loan, are as much the property of this country and as much subject to the control of Parliament as any portion of the revenues of England. Yet I find the noble Earl contracting with the other protecting Powers to endow the King of Greece with a sum of £4,000 a year for his civil list. This is a portion of the arrangement upon which it will be impossible to take steps without the consent of Parliament. The Legislature must be asked to sanction this portion of the arrangement, if not any other, and therefore I think it is one on which the noble Earl should give us some information. I do not wish to enter further into this discussion, but I should not have been satisfied without recording my own conviction of the impolicy and inconvenience of the proposed cession. I think it will be advantageous to none of the parties concerned; and I further think that the mode in which it has been carried out—for I suppose it must be considered as *un fait accompli*—has not afforded to the other parties concerned a fair opportunity of stating their opinion and recording their objections. I first of all wish to ask the noble Earl, Whether he has made any provision to secure the rights of those entitled to charges on the Ionian revenue, guaranteed to them on the faith of the Crown? I next wish to ask what arrangements have been made with regard to the fortifications of Corfu? I would then ask him to explain to your Lordships what is proposed with regard to the Kingdom of Greece—whether it is proposed that its neutrality and integrity shall be guaranteed by this and the other Powers; and, lastly, I ask him to state whether the engagement to endow the King with £4,000 a year has been entered into without any understanding as to the payment of the interest of the loan made by this country? And to move for, Copy of the Proclamation issued by Sir Henry Storks, for the Annexation of the Ionian Islands to Greece.

EARL RUSSELL: My Lords, the noble Earl is, no doubt, perfectly right in saying that this or any other act of the Government of the day is open to the opinion, control, and if necessary, to the censure of Parliament. The noble Earl did not say—what almost every one else of his party has said—that the Ionian Islands are a mere possession of this country, a part of the dominions of Her Majesty, and may be ceded, but not without the consent of Parliament. My noble Friend did not contend for such a position as that, because, no doubt, he was aware that a reference to the treaties which have reference to the Ionian Islands would dispel any such notion. Before I come to the questions put by the noble Earl, I must refer to some of the observations which he made in the course of the speech which he has addressed to your Lordships. He seems to think it strange and utopian that the Powers which met at the Congress of Vienna should have had regard to the welfare of the people of the Ionian Islands.

THE EARL OF DERBY: I did not say that; I said "regard them exclusively."

EARL RUSSELL: Well, I would suppose that these Powers did mainly consider the welfare of the people of those Islands. I do not think that I at all exaggerate when I say that it does not appear that the British Government were anxious to acquire the Protectorate. The Emperor of Austria, however, was anxious on the subject, and the result was that the Ionian Islands were assigned by treaty, as an independent State, to the Protectorate of the Sovereign of Great Britain. At the same time, it was provided that they should have a constitution, and that the language of the Islands should be Greek. These, and others, are provisions which would appear to have been made mainly in the interests of the people of the Ionian Islands; and it can be no disgrace to Her Majesty's Government that they wish to provide for the welfare of the Ionian Islands according to the views and sentiments entertained by the people themselves. The noble Earl thinks that this proposal to unite the Ionian Islands to Greece, was a very precipitate one on the part of this country. But the House will remember, that the recent revolution in Greece completely changed the state of things with respect to those Islands. In 1832 Greece was constituted by treaty an independent kingdom, and Prince Otho of Bavaria was placed on the throne of that country ; but in the autumn of last year that arrangement entirely fell to pieces. The opinion of the Greek people was universally that the sovereignty of King Otho ought to cease ; and the King himself felt it was so useless to struggle against the popular will that he left his kingdom and retired to Bavaria. The protecting Powers agreed, I believe without any sort of hesitation, that it was not for them in any way to attempt to restore him ; they thought that as he had fallen in accordance with the wishes of the Greek people, they ought not to interfere to disturb or reverse that decision. Much anxiety was naturally felt by the protecting Powers that the kingdom should not lapse into anarchy and disorder. Her Majesty's Government were not ashamed to say that they wished for the prosperity and freedom of Greece ; they wished to see her at peace, and on terms of amity with all her neighbours, and they thought that these objects would be best secured under a constitutional monarchy. That being the state of affairs, Her Majesty's Government interested themselves in the choice of a Prince, and in the maintenance of order and freedom in that country ; and Her Majesty's Government informed them, that in case they appointed a constitutional monarch, they would be willing that the Ionian Islands, should form a part of their State. The noble Earl seems to imagine that the union of the Ionian Islands with Greece had never been thought of before ; whereas, in the first place, the Minister of Greece had informed me some years ago that the Greek nation and Parliament were desirous that the people of the Ionian Islands should be united to them ; and, in the next place the Ionian people, in their Parliament, had more than once expressed their wishes for a union. I confess that appears to me to be a natural desire on both sides, and this is the view taken by Her Majesty's Government ; for, as I ventured to state in my despatch, " a love of independence in union with a kindred race has in itself claims to regard from a nation which prides itself on its love of freedom." The noble Earl states, as a reason which should prevent us from ceding those islands, that as a naval and military station they are extremely valuable to this country. I do not wish to depreciate their value in that point ; but, at the same time, I am apt to think that a country may have possessions indistant quarters which in time of war it would not be very convenient to defend. There may be distant possessions of Her Majesty which, owing to the circumstances under which they became connected with this country, and owing to the fact of their being occupied by Englishmen or the descendants of Englishmen, it may be a point of honour with us not to abandon, and the surrender of which would not be unattended with danger ; but the Ionian Islands are not in that position, because, though under our protectorate, they are an independent State. They wish to join the Kingdom of Greece ; the Kingdom of Greece wishes to join them ; and therefore the occasion presented itself when, without any objection of principle, and without any real diminution of strength, we might make a settlement based on the separation of the Ionian Islands from this country. I do not profess to be any authority on military subjects ; but I confess I think it would be rather an advantage in time of war to have only one great station in the Mediterranean waters for our ships, stores, and coal. When you consider the army which this country keeps up in time of peace, how utterly inadequate that army would be at the commencement of a war, and what an immense strain it would be upon the resources of this country if we were called upon to send out 50,000 or 60,000 men to defend a position which we could not defend at less cost, I own I do not think we are diminishing the strength of Great Britain by giving up these islands. The main consideration, however, is that if a country connected with Great Britain is desirous of severing that connection—if it is likely to be free and happy when joined with another Power—it is not unworthy of this country to exhibit a disinterested spirit, and show to the world that it has not that grasping spirit, that craving after dominion, which so ill becomes a great nation. We should not be in a better position if there came from the Ionians repeated requests to join with Greece, and from Greece constant agitation and intrigue in order to obtain these Islands, until at length, finding the position difficult to maintain, this country from mere lassitude, and a feeling that we were too much troubled by these appeals and intrigues, at last gave up the Islands. It is far better, in my opinion, that you should do this when you are not in any way forced, when you can say that you are acting voluntarily, when there is no Power in Europe which asks for this cession, and when Greece does not and could not attempt to force it from you. The noble Earl blames the Government for not having formally consulted the Powers who were parties to the original treaty. Why, as soon as the Cabinet had intimated their opinion upon the subject, the very first thing I did was to send to the representatives of the Powers who were parties to that treaty, and request them to inform their respective Courts that such a measure was in contemplation, and that in the course of time I proposed that there should be conferences upon the subject. Austria certainly did not like the proposition, and would have been glad if we had kept the Ionian Islands as they were; but Austria was never so unreasonable as to say, that if it suited us to part with the Islands, and Greece to accept them, still she, for the sake of what she supposed to be Austrian interests, would insist on England retaining them. Neither Austria nor any other of the protecting Powers has said anything so preposterous; and in all the conferences with the Powers most interested in Greece—because this question mainly concerns Greece—in all my interviews with the Ambassadors of France and Russia, I have found them most ready to consider and agree to any plan which should be for the benefit of Greece and the Ionian Islands. From the commencement, the Emperor of the French declared that he had no candidate for the throne of Greece, and when the candidature of Prince William of Denmark was proposed the Emperor of Russia favoured that arrangement with all his influence. From the other protecting Powers, also, Her Majesty's Government have received every assistance in making a settlement of Greece and of the Islands, which would render those countries free and happy, and at the same time make them an element of order and not of disturbance in Europe. I beg to observe, that although order has been preserved in Greece, yet that the question itself was one of very considerable anxiety. The sudden disappearance of King Otho, whose dynasty had been guaranteed by the great Powers, the possibility that a republic would be proclaimed, the danger that Greece would be split up into ten or twenty different communities, and the chance that the ambition of one of the Powers of Europe might induce it to favour one Prince rather than another gave rise to considerable apprehension. These dangers are, I hope, in the way of being removed; but noble Lords must not, because they have been successfully got over, suppose that there has been no danger, and that it was not possible that the Greek revolution should have been the source of much evil. However, by the harmony of the different Powers and their willingness to consider everything in a fair and friendly spirit, these dangers have been, to a great extent, averted. The great Powers, having been consulted in this way, though all did not approve of the change, consented to come to a conference, and the next thing was to obtain the requisite power to treat. That was obtained, and the terms are recorded in the protocol. Prince Christian, the father and guardian of Prince William, thought that the union of the Ionian Islands to Greece was a necessary condition before his son's acceptance of the throne. The consequence would be, that if the people of the Ionian Islands through their Parliament declared their repugnance to join with Greece, and their determination to remain under the English protectorate, and if the Powers who were parties to the treaty also expressed their desire that the Islands should so remain, Prince William would not, after all, ascend the throne of Greece. In such a case it would be open to the Prince to say, "The condition under which I accepted the throne has not been fulfilled, and I must therefore decline to continue King of Greece." But I imagine that the Ionians will consent to the union with Greece, and that the great Powers will adhere to the plan of union when it is proposed. As the noble Earl says, there are various questions to be considered; and first come the engagements made on the part of the Ionians—the various debts contracted, and pensions and annuities granted. All these engagements must be fulfilled, and of course the Lord High Commissioner will receive directions to make the necessary statement to the Ionians on this point—because it would be impossible for the Government to consent to abdicate their protectorate unless these engagements are kept with fidelity. The next question is as to the forts, the guns, and the stores. That, again, must be a matter of arrangement. With regard to all those cannon and stores which we have placed there, and which have been paid for out of the British Treasury, they no doubt might be removed, and would be removed by us if we thought it necessary to do so. With regard to the fortifications, it is doubtful whether some of them should not be destroyed, because Greece maintains a very small army, and therefore large fortifications in the Ionian Islands would be only a temptation to a foreign Power to take them. The next question is with regard to this £4,000 a year. Of course, anything which requires any Vote in Parliament will be submitted to Parliament by Her Majesty's Government. But the nature of the arrangement is this :—Sir Thomas Wyse, with the representatives of Russia and France, made an arrangement at Athens by which a part of the interest and a part of the capital owing should be paid from year to year by the Greek State. Before that time nothing whatever was paid by Greece, and it would therefore have been useless to ask the consent of Parliament to a Vote of the money which the Greeks did not pay. Our portion of the sum to be paid by Greece is more than £12,000 a year—it was at least three times that amount; but the arrangement was that a smaller sum should be paid, and that as Greece became more wealthy the payments should be increased. The Minister of Greece assented to that arrangement with the three Powers. What we now propose is, that as long as £4,000 a year is paid to the King as a personal dotation, so long the three Powers will be content to receive £8,000 a year, instead of £12,000. The original agreement rests upon protocols of the years 1860 and 1861, by which they pledged themselves to maintain a strict execution of the treaty. The arrangement now proposed is, that instead of receiving £12,000 a year, we shall only receive £8,000 during the life of the present King. This sum is not a large one under any circumstances; but if these monetary arrangements should tend to the establishment of a stable monarchy in Greece, to make that country happy, to enable the King of that State to maintain undisturbed peace, and if by it we shall give encouragement to the capacities of the Greek people for order and well-being, I do not think £4,000 a year is a great sacrifice for us to make to obtain such results. The noble Earl has very properly asked for inquiry upon these points. I have not a word to say in objection to the questions he has asked, nor to the inquiries which he proposes to make. But at the same time he and others ought, in regard to this subject, to make some allowance for the difficulties attending it. They should reflect that the Greek revolution was not made by the agency of the British Government, nor in consequence of any suggestion from it. As a general principle, I consider it would be unbecoming in us to undermine the stability of any foreign Government or to promote disaffection among the subjects of any monarchy or State; but when a country has shown an unmistakable desire to be free and independent—when it has formed a State which is likely to maintain a character for loyalty and good faith and freedom—then I do not think it is unbecoming in this country to lend our aid to maintain that State; and, for my own part, I can only say, that if such be the result in the present case, I shall always be happy to think that I have been able in any way to contribute, not to the formation, but to the reformation which makes Greece free and independent.

THE EARL OF DERBY said, that his notice was for a copy of the Proclamation of Sir Henry Storks for the annexation of the Ionian Islands to the Kingdom of Greece; but when he gave notice, he was told that no such Proclamation had been issued. He should therefore wish to amend his Motion by asking for "Copy of the Proclamation issued by the Lord High Commissioner respecting the annexation of the Ionian Islands to Greece." He must observe that assertions were still made that such a Proclamation as he had referred to had been issued, and he should be glad, if there were any such document, that it should be laid on the table, so that they might see precisely what it was.

THE DUKE OF NEWCASTLE said, it would be impossible to produce a Proclamation which had no existence. When the noble Earl gave notice of his Motion, he had ventured to question the fact of such a Proclamation having been issued; but he felt it to be his duty to telegraph immediately to Sir Henry Storks, requesting him to furnish him with information with regard to this supposed Proclamation. Sir Henry Storks, in reply, telegraphed that the statement was untrue, and that he had sent a despatch containing an account of the events which occurred on the day when the Proclamation was said to have been issued. That despatch arrived yesterday, and the facts appeared to be these:—That when the intelligence of the new King of

Greece having been proclaimed reached Corfu, a deputation waited upon the Archbishop, who ordered a *Te Deum* to be performed in the principal church upon a subsequent day. In the mean time, some persons, wishing to make a demonstration, went round the town to invite the inhabitants to illuminate. Sir Henry Storks, knowing the excitable nature of the people, and being aware of the enthusiasm which such a demonstration would produce, wrote to the Archbishop, warning him to take precautions for the preservation of order, as he would be held responsible for any disturbance that arose in consequence. The Archbishop, in reply, undertook that no disorder should arise, and expressed his confidence that no evil result would follow; and he invited Sir Henry Storks, as the representative of a Sovereign and a country to which Greece owed so large a debt of gratitude, to attend the celebration. Sir Henry Storks, having received no official information of the event they were about to celebrate, felt that it was impossible for him to attend; but, in order to mark the interest which England felt in the welfare of the Greeks, he directed the Secretary, Sir D. Woolff, and his aide-de-damp to attend. They did attend, in plain clothes; and so far from any demonstration hostile to England taking place, they were received by the whole population with loud *vivas* for the Queen of England and for the Lord High Commissioner. In the church, where the air of "God save the Queen" was played, the whole congregation rose and cheered enthusiastically; and upon the return of the procession the same demonstrations were renewed. That was what really took place upon the day when it was alleged a proclamation of annexation was issued, and it showed how favourably the action of England had been viewed in the Islands. He would also take an opportunity to correct a mistake of the noble Earl opposite, who imputed to him a statement, that "not under any possible circumstances would he consent to the abandonment of the Protectorate." The occasion upon which he had spoken upon that subject was in reply to a question of a noble Marquess. He had referred to the report of his speech, and his words were—

> "I tell him distinctly we are prepared to uphold the Protectorate, and the Government does not shrink from the responsibilities attaching to them under the Treaties of 1815."

The noble Earl, surely, could hardly contend that that was a statement that under no possible circumstances would he consent to the abandonment of the Protectorate. He said this in answer to questions put by the noble Marquess opposite (the Marquess of Normanby). Subsequent to that he stated that there existed no intention, on the part of Her Majesty's Government, to withdraw from the responsibilities imposed by the Treaties of Vienna. That was very different to the declaration that had been imputed to him; and, in fact, he could not have made such a declaration, because for some years he had been of opinion that the time would come when Greece would be in a better state, and when the Ionian Islands might be given up, although he felt there would be formidable difficulties in connection with the fortress of Corfu.

VISCOUNT STRATFORD DE REDCLIFFE said, he did not desire to protract the debate; but having been connected with the affairs of that part of the world to which the noble Earl had called attention, he wished to say a few words. He could hardly understand what induced his noble Friend (Earl Russell) to enter upon the scheme which was to end in the surrender of the Ionian Islands; but he supposed that, with the noble Earl, he must regard the surrender as a *fait accompli.* It was impossible not to admire the sentiments which had actuated his noble Friend upon this occasion, and he sincerely hoped that both with regard to the population of the Ionian Islands and to Greece his generous anticipations would be fulfilled. He must say, however, that what experience he had had did not justify him in supporting the propositions of the noble Earl the Foreign Secretary, but led him rather to concur with the noble Earl opposite (the Earl of Derby); and he must say that he thought the noble Earl had rendered great service by expressing those opinions in the presence of Parliament. He very much questioned whether we were rendering a service to Greece in making this premature addition to her territory. Up to this moment, owing either to her fault or her misfortune—and rather, he believed, to her misfortune than her fault—she had not justified the confidence which was reposed in her by Europe at the time that the Greek kingdom was established. If the fault was with King Otho, he had paid dearly for that fault; and if there were among the Greeks those remains of their ancient character which he was willing to believe, it would depend upon them to obtain the good opinion of Europe, and redeem the time which had been lost. But he must say, that at the present time he did not think that it was either to the advantage of the Ionian Islands to be annexed to Greece, or that it was likely to be for the benefit of the Greeks themselves to have such an extension of territory until their Government had given proofs of greater capacity for its management than it had hitherto displayed. He thought that we were bringing the Ionians and the Greeks into more immediate connection with each other than the history of other countries either in ancient or in modern times would justify. The Republic of the Seven Islands was of recent construction, and did not exist in ancient times. The peoples of the several islands formed separate States, and were never mixed up, except by wars and rivalries, with the population of the Greek continent. It was true that they had their origin from Corinth; but that was all. They were often opposed in war to the country which gave them birth, and they were at all times separate, except when under the Macedonian, Roman, or Byzantine rule. They all knew, that for four centuries anterior to the period at which they were formed into the Ionian Republic, these islands were under the government of Venice, and that the manners, the laws, and all but the religion of that State were introduced into them. These circumstances were not calculated to produce any concert or intimate relationship between the Islands and the Kingdom of Greece—on the contrary, it might lead us to expect that difficulty would be experienced in realizing the union of the two States, and to fear, that notwithstanding the demonstrations of enthusiasm at the present moment, the time would arrive when they would repent the connection. There were other considerations connected with this cession. He would not enter into the question of form, which had been so completely dealt with by the noble Earl opposite—more especially as he understood that the Foreign Secretary admitted the correctness of the noble Earl's position as to what was due to Parliament, and to the Powers which were parties to the settlement of 1815. No doubt interest in the prosperity of these Islands had something to do with the measures which were adopted with regard to them; but he believed that the real and main object of the Powers who were represented at the Congress of Vienna was to provide for the maintenance of tranquillity in that part of the world; and he was not surprised to hear from his noble Friend that Austria showed some reluctance to consent to the arrangement which was now proposed. Austria, above all other Powers, was interested in having that part of the world protected. At this moment he acknowledged with gratitude that appearances in the immediate neighbourhood of these islands were favourable to peace; but such was not the case in many other parts of the world. The evidences of confusion were everywhere, and we knew not what might happen from one month to another; and he must say, that if there was to be a war, of which the seat was to be in any degree the waters of the Mediterranean, in the present state of Italy and the views of France, we should greatly miss Corfu as a naval station. The loss which we should incur in giving up the results of our expenditure on that island was of comparatively little importance, although the fortifications had been greatly augmented since the period when they were held by the French, despite our great naval ascendancy, and one portion of them, at least, was so efficiently and beautifully constructed as not to escape the attention even of an unlearned person like himself. No person could feel a deeper interest in the stability of Greece than himself. He might say that he had at one period of his life a considerable share in averting the calamities that overshadowed it, and laying the foundations of the kingdom which had just transferred its allegiance. His hand was the first to write on paper the scheme for its establishment, and to bring it into such a shape as met the approval of the Government of that day. He did not repent that act, because he believed, that if attention had been paid systematically to that part of the world, and if there had not been an unfortunate choice of a governor, Greece would at this moment have been in a very different position from that which she now occupied, not by an enthusiastic aspiration threatening the peace of Turkey, but advancing steadily from the basis of her own prosperity, developing her resources, and acquiring the confidence of Europe by the integrity of her transactions and the steadiness of her pursuits. These things would be done still, and his voice, feeble as it was, and his heart, which strongly beat for the Greeks, would accompany every step of their progress; but he did not wish that progress to be gained at the expense of an unnecessary sacrifice of the interests of this country, or the diminution of our influence in the Levant, which had hitherto been employed to keep together the remains of the Turkish empire. That that influence must be to some extent diminished by these transactions, there could be no question. By the abandonment of these islands we opened the flank of the Turkish empire, and should likewise incur the risk of increasing the national inclination of the Greeks to outstrip the progress of nature, and to arrive at their object by illegitimate means. This was not a mere fancy of his own. There had been proofs of it during the last few years, even during the Crimean war. On one occasion a commander of the Turkish troops, who had been sent to defend the southern provinces of the empire against invasion, obtained from the generosity of the Governor of Corfu the means of giving effect to the instructions of his Government. He might address their Lordships at greater length on the subject, but he had, he trusted, said sufficient to show that there was in the proposed arrangement that which might occasion regret, and, at all events, required in carrying it into effect the adoption of adequate safeguards against evils which were but too obvious to call for any more detailed explanation on his part.

Lord TAUNTON said, his attention had, during the time when he presided at the Colonial Office, been very much directed to the consideration of the connection subsisting between England and the Ionian Islands, and that he had then come to the conclusion that this country ought to omit no honourable opportunity of relinquishing the duty she had undertaken in reference to those islands. He heartily rejoiced, therefore, to find that the Government had seized upon what appeared to him to be a singularly favourable occurrence to take that step, and in doing so they had, he thought, rendered an important public service. When we originally became connected with these islands, Greece was under the Turk, and it was therefore comparatively easy to govern them; but from the moment that there was a free Greece it was natural that the affections of the Ionians should be turned towards that Government. The noble Earl opposite (the Earl of Derby) had observed that he was convinced the Ionian Islands would be better governed under England than by the new Greek Government; but he should remember that mankind, in choosing who should be their rulers, were not always influenced by their material interests, but were often guided by feelings and aspirations which had as great an effect upon the human heart. He might add, that though he felt satisfied that successive English Administrations desired to govern these Islands well, yet that great difficulties stood in the way, as was always the case when the wishes of the great body of the people were opposed to any particular rule. He did not feel at all sure, therefore, that in the circumstances in which we were placed, we had not made occasional mistakes to the prejudice of the Ionian Islands. It had, indeed, been said that the feelings of persons of property in those Islands were favourable to the English connection; but having taken a good deal of pains to ascertain what was the actual state of things in that respect, he was induced to think, that except those who expected good places, there prevailed among the Ionian people no warm sentiment of loyalty to English rule, while the mass of the population was the prey of every demagogue who sought to arouse their passions. For his own part, he used to read with humiliation the despatches which constantly came from those islands, intimating that the Assembly had met and passed an Address requesting that the connection with England might be severed, and had then been adjourned. He could not, under those circumstances, conceive how any English Government could sit down quietly and not feel anxious to get rid of the relationship between the two countries; and he thought it therefore most fortunate that the present opportunity had arisen, and that the Government had taken advantage of it. It was said that a diminution of England's power would be the result of the proposed cession. He, for one, doubted the soundness of that view. It would be, he thought, in the event of a war waged in the Mediterranean, a most unfortunate thing if we were obliged, as we should be while we held those islands, to maintain in Corfu a very large military force—for a small one would not answer our purpose—and at the same time to provide for Malta and Gibraltar. He, at all events, was glad that we were likely to be extricated from the difficulties consequent upon such a position.

The Marquess of NORMANBY, referring to the explanation given by the noble Duke the Colonial Secretary as to certain words which he had on a former occasion used, quoted some passages to show that he had made a statement which amounted to an assurance that the English Government were determined to maintain the Ionian Protectorate.

THE DUKE OF NEWCASTLE repeated, that nothing he had said would bear the construction that had been put upon his words.

THE EARL OF HARDWICKE said, it had always been held that the defence of the Ionian Islands meant the defence of Corfu; and it was understood that in the event of war the orders were that all the troops in the Ionian Islands should retire to Corfu, which place the Government had laid out a large sum of money upon, so as to make it almost impregnable. It had always been considered of advantage to have more than one post in the Mediterranean; and when the Foreign Secretary said that it was desirable to have only one post there, which one were we to keep? Was Gibraltar a post in the Mediterranean? Malta was; and no doubt it was regarded by military and naval men as a most important centre for western operations; but Corfu had been considered equally important in the East. If the fortifications at Corfu were destroyed, the island would be more easily taken, especially by Turkey in any moment of disturbance; for the Turks would have no difficulty in crossing over seven miles of water, and the Greeks would require a very large force to stand against any military attack from Turkey. King William had now been declared King of Greece, but he had declared that he would not accept the crown unless the islands were ceded; but now the Parliament of the Ionian Islands was to say whether the Danish Prince should be King of Greece, for if the decision should be in favour of remaining with England, it was understood that such decision was a veto on his acceptance. He thought that the Ionian Parliament ought not to have been placed in such an invidious position.

Motion (by leave of the House) *withdrawn.*

IONIAN JUDGES—CASE OF SIR G. MARCORAN AND SIR A. XIDIAN.

QUESTIONS. OBSERVATIONS.

LORD CHELMSFORD rose to call the Attention of the House to the Papers laid upon the table as to the Removal of the Two Ionian Judges of the Supreme Council of Justice of the Ionian Islands; and to put a Question to the Secretary of State for the Colonies upon the Subject of the Pensions to which Persons may have become entitled in those Islands. The noble and learned Lord said, that some time ago he called attention to the subject, and his noble Friend the Secretary of State for the Colonies made a statement in answer to him, which did not, however, convey the information which he required. The papers which had been laid on the table gave no insight into the reasons or motives for the course which had been adopted, and he felt that the public were entitled to the fullest information of the circumstances connected with the transaction. On the former occasion, exception was taken to his expression that these Judges were "removed" from their office, and it was said that it was not a removal, but only a non-re-appointment. But he pointed out at the time, that since the introduction of British Judges, and the maxims and principles of British jurisprudence, the necessity of keeping the Judges in dependency through a precarious tenure of office had ceased, and the practice had been virtually abolished. He stated then, and he now repeated it advisedly, that from the date of the Charter in 1817, down to the year 1862, there was only one instance of the removal of a Judge of the Supreme Council of Justice, and that was in the year 1834. On that occasion, the English Judge who was removed appealed to the Secretary of State, and was reinstated, and the two Ionian Judges did not appeal, they being both above the age of eighty and entitled to retiring pensions. Therefore, although the Judges were liable to be removed, they were regarded as practically irremovable. The two Judges whose case was before the House had been on the Bench, one twenty, and the other twelve years. One had been four times and the other twice re-appointed; they were men of great ability and unblemished character; yet, without any reason assigned, they first received intimation that they had ceased to be Judges by the official announcement of the appointment of their successors. This being so, he thought he was entitled to an explanation of the circumstances. On the former occasion when he brought forward the subject, the noble Duke (the Duke of Newcastle) said he did not mean to insinuate anything against the character of these two Judges, but the Senate had formed a strong opinion that their removal would be conducive to the ends of justice, that the administration of justice was complained of, and that a change was necessary, with a view to create confidence in the minds of the people. The noble Duke went on to say that the Ionian Islands suffered from the action of demagogues, the worst of whom professed to be the fast friends of England and the protectorate, and that the two Judges were not the only persons removed on this occasion. If the noble Duke did not mean to insinuate anything against the character of these two gentlemen, he was singularly unhappy in his choice of language, for nothing could more seriously affect the character of a Judge than to have it said that his mode of administering justice was such as to destroy the confidence of the people. From the vague and ambiguous insinuations of the noble Duke, it might be assumed that there were two grounds upon which they were removed—firstly, faulty performance of their judicial duties; and secondly, having played the part of political demagogues. With regard to the first charge, he sincerely wished his noble Friend had reflected before he adopted the suggestions which were made to him on the subject. The Court was composed of two British and two Ionian Judges. It was impossible that corruption of the two Ionian Judges could prevail unless it was participated in by the English Judges, and they both expressed themselves in the highest terms with regard to the character and conduct of their late colleagues. Only a month before the removal of these Judges the Lord High Commissioner expressed to the Chief Justice his satisfaction at the mode in which justice was administered in the court; and it would be derogatory to the high character of the Lord High Commissioner to suppose that he was dissembling his real sentiments for the purpose of concealing the blow which was intended. Mr. Gladstone, who was sent on a mission to the Islands in 1858, for the purpose of ascertaining what abuses prevailed, and who received complaints from all quarters, expressed a very strong opinion that this Court was one of the best and soundest of Ionian institutions, and reported that the British as well as the Ionian Judges had obtained the favour and confidence of the whole community. Was it possible, if this were the character given of the Court in 1859, that the same persons who composed it should in 1862 have so degenerated as to forfeit the confidence of the public; and that the Lord High Commissioner should have been so far deceived in these Judges as to declare, within a month of their removal, that he approved of the manner in which they had conducted their business? He thought he was entitled, therefore, to say that the charge of dereliction of duty was entirely without foundation. The next ground given was that they were political demagogues. Now, that was an epithet which was often used by an adversary without any meaning; but the noble Duke on this occasion probably meant that they had acted as factious leaders of the people; but for that charge also, if there were any truth in the statements which had reached him, there was not the slightest foundation. Let them speak for themselves. Sir A. Xidian said that from the earliest period of his life he had been in favour of constitutional progress and reform; that from 1843 to 1849 he was Attorney General under Lord Seaton and his successor, and was instrumental in bringing in the great measures for the freedom of the press and the trial by jury; and that from 1850, when he was raised to the bench of the Supreme Council of Justice, he had ceased to be a political man, unless so far as he was of the party of constitutional government. Again, Sir George Marcoran said he had never belonged to any political coterie or party, never harangued the people, never published any political pamphlets or inserted any political paragraphs in any journal, and that he had always observed the greatest reserve since he was raised to the bench. Let their Lordships look to the character given to them by Mr. Lushington, one of their colleagues. Mr. Lushington, who sat on the bench with them for many years, said he had always considered it to be an honour to sit on the same bench with them; and, with regard to Sir George Marcoran, he said that a more ingenuous, high-minded man, more exclusively devoted to his own proper duties, or more alien from any taint of political manœuvre, never sat on the English bench. But if they were political demagogues, how was it that they had been permitted to remain on the bench, one twenty, and the other twelve years? The true secret of their removal was to be found in the speeches of the noble Duke opposite (the Duke of Newcastle) and the Chancellor of the Exchequer in the other House. The noble Duke said that the worst demagogues, and those who misled the people most, were those who professed to be fast friends of the British protectorate; and the Chancellor of the Exchequer said that Sir George

Marcoran made no secret of his being in favour of the British protectorate. The only inference to be drawn from that language was that these two gentlemen, lovers of their country, and sincerely apprehensive that its separation from England would be productive of evil consequences, were removed from the bench because their opinions did not coincide with those of the Government of the day. If this principle were to be acted on, Judges who wished to retain their seats would find it very difficult to keep pace with the Government in its change of views. Their Lordships would perhaps recollect that in 1861 the noble Duke, in approving Sir Henry Storks's prorogation of the Ionian Assembly, which had declared the British protectorate to be at the root of all the evils under which they groaned, said, "I believe that before long the Ionian people will separate themselves from their demagogue theorists who have misled them so long." Who were the demagogues of 1861? Why, those who were hostile to the protectorate. And who were the demagogues of 1863? Those who were—[The Duke of NEWCASTLE: Professed to be]—professed to be the fast friends of the protectorate of England. A Judge, to preserve his seat under such a *régime*, must be a chamelion, and must change his opinions with every varying change of colour in the opinions of his Government. From one end of these papers to the other there was not a hint that those Judges had been corrupt, or had failed in the performance of their duties. But in Sir Henry Storks's letter to the Secretary of State there was a reason given for their removal which he could hardly approach with sufficient gravity. Sir Henry wrote that the Senate considered, that after forty-eight years of public service —twenty of which were in the lucrative post of member of the Supreme Court—after having reached the very advanced age of seventy, and after a longer enjoyment of public employment than any other citizen, it was time to make a change in the person of Sir George Marcoran. Their Lordships would remember that the abandonment of the protectorate was now the order of the day. The Senate was in the hands of the Lord High Commissioner. He appointed the President, who held office for two years and a half, and he appointed two members of the Supreme Court from the community at large, and two who must be taken from the Legislative Assembly. It was in the power of the Lord High Commissioner to prevent the removal of those gentlemen by refusing to appoint their successors; and therefore he must be held accountable for their removal. He was sorry to say that from a perusal of the papers one must come to the conclusion that the proceeding had also received the sanction of his noble Friend at the head of the Colonial Office. He regretted this, because he believed a more fatal blow had never been struck at the independence of courts of justice. He trusted that their Lordships would not think lightly of this matter because it was possible that the tie which united us to the Ionian Islands might soon be severed. He trusted we should not act as careless and bad tenants were in the habit of doing when their lease was about to terminate, regardless of the obligations which we had undertaken, and of the waste that might be committed. He hoped we should think that our responsibilities increased more and more as the term of our protectorate drew to an end, and that we should feel the strongest anxiety to deliver up the trust that had been committed to our protection not only unimpaired, but improved.

THE DUKE OF NEWCASTLE said, he was at a loss to see what object was to be effected by bringing this subject again before the House. Such a course was certain to do no good to those in whose behalf the noble and learned Lord had addressed their Lordships. His noble and learned Friend did not seem to aim at any particular result, for he had not concluded with a Motion or a Question. He regretted, too, the different tone in which his noble and learned Friend had treated the matter on the occasion from that which had characterized his speech on a former evening. The quibbles of the noble and learned Lord on words which he had used were such as might frequently be heard in Nisi Prius Courts, but such as their Lordships very seldom heard in that House. The noble and learned Lord said that in 1817, at the commencement of our protectorate, the tribunals in the Ionian Islands were so corrupt that the provision for the removal of the Judges might have been necessary, but that things had so changed since then there was no longer any occasion for it; and he repeated what he had said on a former occasion—namely, that though the law authorizing the removal of those Judges was in existence, it had been virtually repealed. He must tell the noble and learned Lord that there was no ground for this latter assertion. In the year 1834 three Judges were removed. [Lord CHELMSFORD: One of them was reinstated.] It was true that the English Judge, who appealed to the Secretary of State, had been reinstated—perhaps he had been improperly removed; but that did not show that the case was not one in point. The two Ionian Judges did not appeal, and they were not reinstated; and what made the case one in point was that those Judges were removed without their consent. On two recent occasions attempts were made to alter the law, and to render the Judges irremovable. In 1838 the Lord High Commissioner of the day made a proposition to that effect, and his proposal was met with a refusal by the Secretary of State. Again, in 1844, another Lord High Commissioner made a similar proposal, and he met with a refusal from the noble Lord opposite, who was then Colonial Secretary.

THE EARL OF DERBY: He did not apply to me in the first instance, but applied to the Senate.

THE DUKE OF NEWCASTLE: That was true; but when the Bill to render the Judges irremovable was brought under the notice of the noble Earl, he did not sanction it; on the contrary, he gave the Lord High Commissioner orders to withdraw it; and therefore there was no pretence for saying that the law had been repealed. It was not correct to say that the Senate was in the hands of the Lord High Commissioner because he appointed those five officers. There were person in the Ionian Islands whose constant habit it was to make deceptive statements to others in this country. Thus a statement was made in the other House of Parliament, upon the authority of such persons, that the Senate had to attend every morning at the office of Sir Henry Storks; but he had the assurance of Sir Henry Storks that the statement was quite untrue, and further, that the idea of appointing two new Judges originated with the Senate, and that all the Lord High Commissioner did in that matter was, as the constitution prescribed, to approve and carry into effect the suggestion. Reverting to the argument of the noble and learned Lord, that the Act was virtually a dead letter, he would remark, that if that were so, then the constitution itself could not be maintained. The letter of the law was clear, and the question was calmly discussed upon a former occasion, when the principle was distinctly confirmed. It was complained that he had spoken harshly of these gentlemen, but what he had said was only true. What he desired was to see justice done, with as little pain as possible to the parties concerned. It was very well to quote Mr. Gladstone's Report, and to say it was altogether incorrect; but those who instructed the noble and learned Lord, and Mr. Lushington among them, had lost no opportunity of misrepresenting the right hon. Gentleman. However, it appeared that upon one point these Gentlemen agreed in the Report of Mr. Gladstone, and, from their constant reference to it, the public might be led to imagine that they regarded the right hon. Gentleman as the very greatest authority. It was possible that Mr. Gladstone might have been deceived as to the state of the Supreme Court, as those were who had longer experience and more intimate acquaintance with those Islands. It was insinuated that Sir Henry Storks was sent to carry out Mr. Gladstone's Report; but he was taken from a public office at home by the noble Earl opposite (the Earl of Derby) and sent to the Ionian Islands to undertake a most arduous duty. He went out at a time when affairs were at a dead lock, and he was sent out because he was a man to be trusted. The admirable manner in which Sir Henry Storks had performed his duties, and the state into which he had brought those Islands, last year gave him a claim to the indulgent consideration of the party which had appointed him. Sir Henry Storks did not go to carry out Mr. Gladstone's report; but after two years' experience, and upon fully investigating the subject as regarded the Supreme Court, he came to the conclusion, that as far as the two gentlemen were in question and another appointment, Mr. Gladstone's views were correct. Complaint had been made that he had applied to the removed Judges the term "political demagogues;" but what he (the Duke of Newcastle) meant was, that the party to which they belonged, while they professed great affection for the protectorate, were in reality the worst political demagogues in the Islands; and he adhered to that opinion. That party was really friendly to the protectorate up to 1848, because until then the whole patronage of the Islands was in their hands, and they fattened upon it. In that year great changes were made, which deprived that party of power, and from that time they became what was termed reactionists, and combined with those who had always been opposed to the Protectorate, with a view to bring the Government to a dead lock. In that object they nearly succeeded upon more than one occasion, and the first two years of Sir Henry Storks's administration were occupied with a series of struggles with that party. His experience led him to perceive that great changes must be made, and that it was necessary to get rid of these gentlemen. The noble and learned Lord had quoted the statements of those gentlemen, as he had a right to do; but he had no right to argue that every other evidence which differed from their statements was therefore false. There was the opinion of the Lord High Commissioner, and the general belief throughout the Islands that the administration of justice by the two gentlemen whose cases were under discussion had been such as to create an entire want of confidence. Under these circumstances, was it not right to exercise the powers given by the constitution? He did not think that anything would be gained, either in the interests of the public or of those individuals, by stirring the mud in this case. Sir George Marcoran was, he believed, personally a man of high honour; but he had allowed himself to be drawn into political intrigues, which made it certain that as a Judge on the bench he would lose his character in public estimation. To Sir A. Xidian he was willing to give credit for no evil intention, and for innocence of the corruption with which he had been charged by many persons in the Ionian Islands. But he had placed himself before the public in a position which was sure to lead to such imputations. On a former occasion he (the Duke of Newcastle) had avoided going into this question, but he had now been forced to speak more plainly. The noble and learned Lord probably meant to base upon his present statement a demand for further papers; but, though the boxes before him were full of papers, he should certainly, in justice to the public service, decline to produce any others than those which had been placed on the table. What he had now said had been extorted from him by the imprudence of his noble and learned Friend, and he had been compelled to make this statement in justice to others; but the same conditions made it impossible to produce other papers. The noble and learned Lord alleged that there could be no charge of corruption without impugning the two English Judges. But that was not the case. He had never heard of any charge affecting the character of those gentlemen; but he had heard it frequently stated that for two English gentlemen to be associated with Ionian Judges, in courts with the practice of which they were totally unacquainted—never, probably, having before heard the language—and being brought into contact with individuals of a totally different character from that to which they had been accustomed, was a great inconvenience, the result being that they were necessarily under the influence and control of the native Judges. The noble and learned Lord said he had discovered the real secret of the whole proceedings, which was, according to him, that the English Government, having determined to abandon the protectorate of the Ionian Islands, were anxious to get rid of the functionaries who were attached to the protectorate. Now, so unfair and so utterly unfounded a charge he had never heard. If he could use stronger words to convey his meaning, he would do so, for it was an unfair and uncandid charge; and was not only unsupported by, but was entirely contrary to the fact. What he had said was that the professed friends of the protectorate, by which he meant those who falsely professed to be its friends, were in reality the worst political demagogues of the day, for they encouraged the demagogues. In contradicting his statement, that the dismissal of the Judges met with approbation in the Ionian Islands, Sir A. Xidian had instanced the election of his son as being a compliment to himself, and as showing the feeling of the people. The fact, however, was that the son had been for years a municipal officer, and he was not re-elected in compliment to Sir A. Xidian, who held himself out to be the friend of the British protectorate, for the son had always been an avowed enemy of the protectorate. The fact was, that these gentlemen had fallen into their present dilemma because they were enemies of the protectorate. Reverting now to the assertion of the noble and learned Lord, that the Government wished to get rid of the protectorate, and therefore removed these Judges, was his noble Friend so ignorant of the facts, as not to know that at the time when this took place, it was the object of the Government, and especially of Sir Henry Storks to preserve the protectorate? The annexation with Greece was never mooted by the Government until the Revolution took place, which was late in the autumn, while this decision was come to in July. It was not fair, then, to unite the two things together. He denied that this was, as the noble and learned Lord said, the real secret, and the charge was an unfair and uncandid one, unsupported by evidence, and contradicted by facts. With regard to Sir Henry Storks, that officer had done his duty, and it would be unjust if, at this or at any future time, the House of Lords ignored his great services, and, with a view of supporting any private friends, condemned him or reflected upon him for a course which he had pursued with the best intentions.

THE EARL OF DERBY said, he would be the last man to say anything derogatory to Sir Henry Storks, for he knew the sacrifices which that officer had made in accepting his present appointment, and believed that his intention was to discharge his duty honestly and faithfully, and he thought that he had done so for the most part with considerable skill. At the same time, he thought that in the removal of these Judges Sir Henry Storks had acted under influences which had overpowered his better judgment. The noble Duke had, he thought, misapprehended the statement of his noble and learned Friend as to the reasons which had influenced the Government in desiring to get rid of these Judges; though, if his noble and learned Friend had intended to make use of the expression attributed to him, it would not have been far from the mark in point of date.

THE DUKE OF NEWCASTLE said, that the Greek revolution occurred in September, and the actual removal of the Judges took place in August, but that removal was decided on some time before.

THE EARL OF DERBY said, because those Judges were known to be friends of the British protectorate, the party in power in the Islands were desirous of obtaining their removal; and, acting under the influence of this party, Sir Henry Storks was induced to lend his authority to an act which rested on no satisfactory basis. His noble and learned Friend was justified in bringing this question forward again, because, on the last occasion, grave insinuations were made against the characters of these Judges, as if they had been removed for causes so discreditable that they had been concealed. The Judges wished to know for what cause they were removed, and were ready to meet and confront any charge of malversation or corruption, of political intrigue or misconduct in office, which would justify their removal. The course which the noble Duke pursued was unfair and unjust. He repeated the charge with increased strength, and then he said that he had a box full of papers; but that if they asked for the evidence on which he founded the charges, they should not have it. Was that acting fairly to public servants, who had done their best to discharge their duty, and whose main offence had been that they had honestly endeavoured to support and maintain the existing Government and the protectorate of this country. The noble Duke said that the Senate had acted only from honest, conscientious, and patriotic motives, and from a desire that no one should sit on the bench who was a person of strong political feelings. If that was so, would it not have been better that they should not have elected one of their own body who had never sat on the bench before, and who had for many years been a prominent leader of a political party? It would have been all very well if the noble Duke had said that this matter rested altogether with the discretion of the Lord High Commissioner—though that would have been a strange perversion of the practice, if not of the law; but when he said that he did not remove the Judges without cause, but that they were active, meddling, political intriguers, and that one, at all events, laboured under suspicion of corruption, that was at variance with all the evidence which their Lordships possessed. The noble Duke had not produced — he ventured to think that he could not produce—a tittle of evidence to establish those charges. If he could, it was due to the Judges that he should do so. He was sure that the noble Duke would, on reflection, see that he could not maintain the ground which he had taken up. The noble Duke said that the dismissal of these gentlemen had long been determined upon. [The Duke of NEWCASTLE: I said, it had been determined on before August.] If it was determined upon some time before, how was it that within a very short period Sir Henry Storks addressed to one of these Judges language of the higest approbation for the manner in which he had performed his judicial duties, and, in giving him leave of absence, expressed a hope that he would speedily return to carry on the business of the judicial bench in the same admirable manner in which he had previously fulfilled his functions.

THE DUKE OF NEWCASTLE said, that he had, since the last debate, communicated with Sir Henry Storks upon this subject, and he was informed by him that the letter addressed to Sir Anastasio Xidian was the ordinary stereotyped answer which was given to every one who applied for leave. It contained no expression of satisfaction. He only gave him leave, and hoped that he would be ready to come back at its expiration.

THE EARL OF DERBY said, that it might be the stereotyped answer which was given to persons who were to return to their duties; but it was not a proper letter to be addressed to a Judge whom the Government had at that moment made up their mind to dismiss. Again, if there were charges against these Judges, why was not notice given to them before they were removed, and why were they not heard in their own defence? Why did not Sir Henry Storks send to the Judges and inform them that he regretted to find that they were taking so active a part in political matters, that such a course was inconsistent with the dignity and independence of their position on the bench; and, that if they did not abandon it, it would be necessary for him to adopt strong measures? That would have given them an opportunity of vindicating themselves. Where did Sir Henry Storks obtain evidence of the misconduct, and still more, of the corruption? Was there ever such a thing heard of as that charges of this description being entertained in the mind of the Lord High Commissioner against two important functionaries, they should be withdrawn from their offices for political convenience—and the truth was they were removed for political convenience and nothing else—and that afterwards when they complained of the extraordinary manner of the removal, fresh charges should be insinuated against them; and then the Secretary of State should say that he believed these charges, but at the same time he would not produce the evidence on which they were founded? It was impossible that the case could rest here. No honourable man could expect that these Judges would be satisfied with what had occurred; he hoped that no Parliament would sanction such a proceeding. If these gentlemen were dismissed for misconduct, they ought to have been informed of the charges before they were dismissed; and if after their dismissal charges were made in that House, they ought to be and they must be substantiated or retracted.

THE LORD CHANCELLOR regretted to learn, that some observations which he made in that House on a former occasion on this subject had been misunderstood, and had given pain to gentlemen who were entitled to great respect. While deprecating the making of that House a court of appeal, he said or intended to say, hypothetically, that a case might arise in which charges might be brought forward which could not be met or adequately discussed in that House. It had been assumed that in making that observation he had referred to actual cases. That certainly was not so—he could scarcely have been apprehended as insinuating a charge, because he spoke with great sympathy for these Judges; than one of whom, Sir George Marcoran, he had been assured by friends who were acquainted with the Ionian Islands, there was not a more upright or honourable man in the world. He was afraid that the discussion of that evening, which he was sure had been raised from the best of motives, would be attended with nothing but unfortunate results to these gentlemen. He regretted the position in which they were placed, and he was extremely sorry that any words which had fallen from him should have given them one minute's pain.

MILLINERS AND DRESSMAKERS.

ADDRESS FOR A ROYAL COMMISSION.

THE EARL OF SHAFTESBURY, in rising to move for a Commission to inquire into the moral and physical condition of milliners and dressmakers, said: It will not be necessary that I should enter into any lengthened statement in support of the Motion which I am about to make. Some time ago an inquiry was made into the condition of dressmakers and milliners, and some most fearful evidence was received. An association was formed, and the evils were in some measure mitigated. That Commission consisted of three Gentlemen who were most competent to carry on the inquiry, and he thought it would be extremely desirable to refer the question to them, in the hope that they would be able to devise some means by which the evils of the present system might be redressed. The season, he might add, was now drawing to a close, and the pressure on the establishments in which those milliners and dressmakers were employed would be in a great measure diminished, and the effect he hoped of a reference of the subject to the Commission would be to keep those establishments within the limits of decency and order. The noble Earl then moved—

> That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to give Directions that an Inquiry should be made into the physical and moral Condition of the Milliners and Dressmakers by the Royal Commission now sitting on "the State of Children and young Persons in Trades and Manufactures not regulated by Law."

Earl GRANVILLE said, he found, on consulting his right hon. Friend the Secretary for the Home Department, that it was competent for him to refer the subject of the noble Earl's Motion to the Commission suggested. It had, he added, been already referred to them. Under those circumstances, an Address to Her Majesty was unnecessary.

Motion (by leave of the House) *withdrawn.*

House adjourned at a quarter before
Nine o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, June 30, 1863.

MINUTES.]—Public Bills—*Resolution in Committee*—Metropolis Main Drainage (Guarantee of Repayment of Money).

Ordered—Landed Property Improvement (Ireland)*.

First Reading—Militia Ballots Suspension*; Public Works and Fisheries Act Amendment * [Bill 198].

Second Reading—Poisoning [Bill 181] *negatived;* Corporal Punishment in Schools [Bill 169] *negatived;* Poor Law Board Continuance * [Bill 163]; Loan Societies * [Bill 185]; Prisons (Ireland) * [Bill 178].

Committee—Fisheries (Ireland) [Sir Robert Peel] Bil]l 137]—R.P.

Third Reading—Public Works (Manufacturing Districts) * [Bill 192]; Howth Harbour * [Bill 175]; Newcastle-upon-Tyne (Saint Mary Magdalen Hospital) * [Bill 162]; Removal of Irish Poor [Mr. Villiers] * [Bill 140]; Savings Banks Act Amendment [Sir Henry Willoughby] * [Bill 183]; Courts of the Church of Scotland (*Lords*)* [Bill 92]; and severally *passed.*

FISHERIES (IRELAND) BILL [Sir R. Peel].

[bill 137.] committee.

Bill *considered* in Committee (*Progress* 19*th June*).

(In the Committee.)

Clause 6 (Commissioners to inquire as to fixed Nets).

Mr. HASSARD moved to leave out the words from "Commissioners" to "shall" in the fifth line. These words "shall abate and remove all fixed nets erected or used for catching salmon or trout in Ireland, that are in their judgment injurious to navigation," would, he said, add a fourth set of Commissioners to the three existing jurisdictions, and would be most inconvenient to the navigation of the rivers. In the correspondence between the Treasury and the Admiralty on the subject, the opinion of the Solicitor General for Ireland and the authorities of the Admiralty was clearly expressed that obstructions in rivers should be dealt with by the Admiralty as general guardians of the navigation of the country, and the addition of a fourth body would rather impede than promote their efforts. There was another objection, and that was, that any persons creating obstructions in rivers would be able to demand that disputes relative to the obstruction to navigation should be tried by jury, instead of being settled as now—by the Admiralty acting through the Board of Trade.

Mr. LONGFIELD opposed the Amendment, on the ground that the three jurisdictions already in existence had paralysed each other and neglected their duties. It would therefore be well that there should be added a new jurisdiction competent to deal with this particular branch.

Sir ROBERT PEEL opposed the Amendment, on the ground that it would take from the Commissioners the power to remove nets that might be injurious to navigation.

Sir HERVEY BRUCE said, that it would be very hard that parties who had nets which were stated to be obstructive to navigation should be put to the expense of going through all the courts on appeal.

Amendment, by leave, *withdrawn.*

Sir HERVEY BRUCE moved an Amendment, "but this and the foregoing clauses shall not apply to bag-nets erected and in use before 1848." He proposed this Amendment for the purpose of making the Bill really and fairly a compromise, and not one that would lead to a vast destruction of property. If the bag-nets near the mouths of rivers in the open sea operated to stop the fish going up, there would be some ground for the restrictions imposed by the Bill; but they did not. It was by nets and weirs across the rivers that the fish were prevented from ascending. He complained that the Bill interfered with the private rights of the owners of salmon fisheries, and therefore, unless some relaxation of the clause was made, he should feel it his duty to oppose the measure at every stage. He admitted that the bag-nets might prevent fish getting to the upper waters when placed at the mouths of narrow estuaries, but the real injury done to the fisheries was done by the weirs, the owners of which were continually breaking the law, and it was almost impossible to detect them.

SIR ROBERT PEEL appealed to the hon. Member to withdraw his Amendment, and accept the compromise the Government had proposed with the concurrence of the great majority of the Irish Members. The present Amendment would undo what had been done at a former morning sitting after a full discussion. He was quite aware that the hon. Member might, by protracting the discussion, defeat the Bill; but he hoped, that inasmuch as it was generally admitted that the measure would be a great boon to Ireland, he would not adopt that course.

THE CHAIRMAN stated that the Amendment was inconsistent with the former clauses, and therefore had better be postponed until the Report.

Amendment, by leave, *withdrawn.*

Clause 6 *agreed to.*

Clause 7 (Certificate as to certain fixed Nets).

MR. M'MAHON moved an Amendment to the Proviso, to the effect that the certificate of the Commissioners shall not prevent any net which shall be deemed injurious to navigation or contrary to law from being removed as a common nuisance, and any person fixing such net to be liable to a penalty.

MR. BUTT objected to the Amendment, on the ground that after the legality of any fixed nets had been established as respected the fishery laws, on appeal it would still be open to any person to indict the owner for the infringement of the navigation laws. The consequence would be to give the clause a one-sided effect—it would be binding on one side, and not conclusive against the other.

MR. LONGFIELD agreed with the hon. and learned Member (Mr. Butt), and thought that the certificate of the Commissioners (subject to appeal) should be conclusive evidence of the legality of the nets, both for and against the public.

MR. H. A. BRUCE admitted that there was some force in the objection; but the view of the Government was that the legislation of 1842 was an invasion of the rights of the public; besides which, what was not injurious to navigation in 1843 might be in 1863.

MR. LONGFIELD suggested that the Commissioners should be made the absolute judges of the question.

MR. O'HAGAN thought that it would be better to postpone the clause, and bring it up on the Report.

MR. M'MAHON expressed his apprehension that such a course would endanger the Bill altogether, and he complained that the time had been wasted in this discussion. He did hope the Government would stand by this clause. If not, they had better give up the Bill altogether.

Amendment, by leave, *withdrawn.*

MR. BUTT denied that the time of the Committee had been wasted, and said that if the House had been occupied three times as long in preventing the passing of a clause which would be a disgrace to their legislation, they would not be wasting their time. He should therefore, in order to test the opinion of the Committee, propose to move the omission of certain words, in order to insert the words " and at the time of granting such certificate such fixed engine was in accordance with law." This would have the effect of declaring the legality of the net on all points at the time of issuing the certificate.

Amendment proposed,

In page 3, line 24, to leave out from the word "given" to the end of the Clause, in order to add the words, " and that at the time of granting such certificate such fixed engine was in accordance with law."—(*Mr. Butt.*)

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided:* — Ayes 63; Noes 4: Majority 59.

MR. M'MAHON moved to add the words "or any Act of Parliament" at the end of the clause. The effect of this Amendment would be, that the certificate of the Commissioners would not render any net legal which would be illegal under any existing Act of Parliament.

Amendment proposed, at the end of the Clause, to add the words "or any Act of Parliament."—(*Mr. M'Mahon.*)

Question put, "That those words be there added."

The Committee *divided :*—Ayes 38; Noes 37: Majority 1.

Clause, as amended, *agreed to.*

Clause 8 (Commissioners to inquire as to Fishing Weirs) was also *agreed to.*

Clause 9 (Compensation in certain cases, to Owners of Fishing Weirs).

Mr. M'MAHON moved the omission of the clause, with the view of inserting in lieu thereof the following provisions in respect to the free gap to be left—

"1. The free gap shall be situate in the deepest part of the stream, between the points where it is intercepted by the weir. 2. The sides of the gap shall be in a line with and parallel to the direction of the stream at the weir. 3. The bottom of the gap shall be level with the natural bed of the stream above and below the gap. 4. The width of the gap in its narrowest part shall be not less than one-tenth part of the width of the stream; provided always that such gap shall not be required to be wider than forty feet, and shall not in any case be narrower than three feet; and provided, also, that no existing gap in any weir shall be reduced in width, or a gap of less width substituted in lieu thereof, or any alteration made therein, so as to reduce the flow of water through such gap."

The hon. and learned Member said, that if this Amendment were carried, he intended to propose additional provisions with the same objects. These provisions were, with very little alteration, taken from the English Salmon Fisheries Act of 1861.

The CHAIRMAN intimated that in that case the proper way would be to introduce the new clause at the end.

Motion *withdrawn.*

Mr. R. HODGSON said, he wished to raise the question whether compensation should be given to the owners of stone-weirs for making free gaps in order to allow the fish to pass through them. It had been held by Parliament in its recent fishery legislation that what was right to be done in regard to the improvement of fisheries should be carried out without compensation. He would move to leave out all the words after the words "Commissioners," in order to provide that the expense of making any free gaps should be undertaken by the Commissioners, and not by the owners.

Mr. MONSELL said, that the House had refused the bag-net proprietors any compensation, and now they were going to give the stone-weir proprietors everything, and to ask for nothing in return. The clause now proposed was entirely inconsistent with the provisions of the English Act, although the same rights that were now set up existed in England. He could mention several instances—the case of Mr. Philip Howard, of Corby Castle, for example, and that of the Earl of Lonsdale. There were two separate Acts of Parliament which conferred the rights on Lord Lonsdale. Those rights had subsisted for eighty years; but the English Bill was passed, and Lord Lonsdale was compelled to make a gap in his stone-weirs without compensation of any description. Why should Parliament adopt a different law for Ireland? The House was going to give these stone-weir proprietors an enormous increase of fish, and were they to give nothing in return? He trusted that the House would refuse this compensation by a large majority.

Mr. H. A. BRUCE said, that by far the greater portion of the Irish stone-weirs would be unable to show a charter, and when they failed to prove a valid legal right, the gap would be opened without compensation. He had no doubt that the operation of the Bill would be to cause the voluntary construction of gaps in the large majority of rivers in Ireland The right of the proprietors to weirs which they held by charter or by usage from time immemorial, was as indefeasible as the right of any gentleman to his private estate. [Mr. Monsell: I do not propose to take away the right, but to regulate it.] Yes; but the effect would be to injure the value of the fishery. At the same time, he admitted — and the Committee generally agreed with him—that the Act of 1842 was a grievous interference with common law rights for the benefit of private proprietors as against the public. ["No!"] That, at any rate, was his opinion. Parliament, therefore, had a right to reconsider the Act of 1842. It was said that the opening of the gaps would increase the supply of fish and the value of the fishery. But had the House ever admitted that principle in its railway legislation? It was easy to show that railways benefited private property, yet Parliament gave compensation to the owners of property, and always refused to enter upon the question whether the value of the property might not be ultimately increased.

Mr. MONSELL said, that the Report of the Lords' Committee on Railways gave as a reason for giving compensation "because the immediate motive was the gain of speculation."

MR. H. A. BRUCE said, it was quite true the English Act provided that a large gap should be made in every weir, and that no compensation was granted. But that was because no opposition was raised to the proposal. If, however, any English proprietor had appeared and opposed the Bill, he doubted whether it would have been carried in its present shape. No invasion of the ancient rights of proprietors should be made without compensation.

LORD NAAS could assure the hon. Gentleman that very great objections were felt by the English proprietors to the English Bill. He knew a case in which the proprietor of a Derwent fishery thought himself unjustly affected by the Bill, and he would have organized a very determined opposition to the Bill if he had thought it was likely to succeed. Public opinion in favour of the Bill was, however, so strong that he declined to urge his claims. The truth was, that the Bill carried compensation with it to the proprietors of stone-weirs; and if they consulted their own interests, they would not oppose the opening of gaps in their weirs. He defied any instance to be adduced in which a gap in a weir had materially injured the fishery. He knew a case in which the proprietor of a stone-weir near Galway spent £3,000 in opposing the Board of Works in the exercise of a power which they claimed to open a gap in his stone-weir. That gentleman had since told him he never made a greater mistake in his life, and that if he had known then as much of the matter as he knew now, instead of spending £3,000 in opposing the gap, he would rather have given that sum to make the gap, and allow the fish to go up the river. The fact was, his fishery had since enormously increased in value. The Bill swept away a great number of methods of taking the fish below these weirs, so that it gave the owners an enormous compensation in the additional supply of fish. If it were shown that the opening of these gaps would injure the fishery, the Committee might entertain the question of compensation. The reverse, however, was the fact. The Bill would benefit the public enormously, yet, as it would also confer immense advantage on the owners of stone-weirs, he, for one, would not consent to pay them for rendering them this service.

SIR WILLIAM SOMERVILLE said, that if the Committee were not about to benefit the owners of stone-weirs by the clauses of this Bill, their legislation would be of very little use. He denied that it was to the advantage of these proprietors that the Committee should adopt the principle of compensation proposed. Look at the complications it would cause—the investigation of books, of profits and losses, both in present and preceding years. If he were the owner of any of these stone-weirs, he would get rid of these compensation clauses if he could, and accept the Bill without them. It was proposed by the clause to keep up the precise amount of "catch" which the owner might have had for a certain number of years, so that if in any one year there should be a failure in the fishery, the same amount would still be paid to the owner. But how far were these investigations to go? He believed, that if there had been abuses in regard to bag-nets and stake-nets, the abuses of stone-weirs had been tenfold greater. Formerly they were made of wicker-work, and then they were not a complete obstruction to the passage of the fish. Gradually, however, they had been raised higher and had increased in size, and in some cases the owners had even supplemented them by iron railings over the weir to prevent any of the fish from going up the river. He never gave a clearer vote than that which he should give against this clause. So far from doing an injury to these owners, he believed the omission of this clause would essentially benefit them, and that if the clause passed, they would be the first to regret it. He would advise the owners of stone-weirs to accept thankfully the good offered to them by the Bill.

MR. LONGFIELD said, that if this clause were adopted, the Committee would have legislated solely for the benefit of the proprietors of stone-weirs of Ireland. He should certainly vote against giving these gentlemen any compensation; for nothing could be more objectionable than securing them a perpetual rent-charge, to be measured by the degree of obstruction which they had succeeded in giving to the fishery.

MR. F. L. GOWER thought that the House ought not to destroy these fisheries without compensation. If confiscation were practised in England, it ought not to be extended to Ireland. He trusted that the Government would maintain the clause.

SIR EDWARD GROGAN would vote for the omission of the clause.

Mr. H. A. BRUCE said, it was clear that the owners of stone-weirs had no friends in that House. In the face of the opposition which had been raised to the clause he would not press it. He would agree to withdraw the clause, in order that the hon. and learned Member for Wexford (Mr. M'Mahon) might propose his clauses on the Report.

Amendment, by leave, *withdrawn.*

Clause *withdrawn.*

Clauses 9 to 15 amended, and *agreed to.*

Clause 16 (Weekly Close Season).

Mr. HASSARD moved an Amendment, to insert—

"In any tidal waters between the low water which shall happen next before six o'clock on Saturday evening, and the low water which shall happen next before six o'clock of the succeeding Monday evening, and in all other waters."

Lord NAAS opposed the Amendment.

Amendment *negatived.*

Mr. MONSELL proposed that the weekly close time should not terminate till twelve o'clock on Mondays. After a short discussion,

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 17 read.

Sir ROBERT PEEL stated that the Bill would be fixed for further consideration in Committee on Friday next at a morning sitting.

House *resumed.*

Committee report Progress; to sit again on *Friday* at Twelve of the clock.

PUBLIC WORKS (IRELAND).

QUESTION.

Mr. LANIGAN said, he wished to ask the Chief Secretary for Ireland, Whether he will introduce any Bill this Session to facilitate the execution of Public Works in those parts of Ireland where the want of employment has placed the working classes in as destitute a condition as the operatives are in the Manufacturing Districts in England?

Sir ROBERT PEEL, in reply, said, the Government did not contemplate the introduction during the present Session of any Bill relating to the execution of Public Works in Ireland similar to those proposed for Lancashire.

THE "GIBRALTAR."—QUESTION.

Mr. HORSFALL said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether the British ship *Gibraltar,* bound for Nassau, has been refused a clearance by the Customs authorities at Liverpool; if so, on what ground the refusal is based, and whether it is done at the instigation of Mr. Adams, the American Minister?

Mr. LAYARD said, he must remind the House that the *Gibraltar* was another name for a very well-known vessel—the *Sumter.* She was sold at Gibraltar under peculiar circumstances, and came to Liverpool, where it became known to the Government that she was shipping guns of very large calibre. It was true that Mr. Adams called the attention of the Government to the fact, but the Government were previously aware of it. It was also true that the clearance of the vessel had been stopped by the Custom-house officers, and not at the instigation of Mr. Adams. It had since been found that these guns were of a kind not fit and proper for the armament of the vessel itself, and therefore probably were intended for exportation. The Law Officers of the Crown were of opinion that the fact that guns had been put on board was not sufficient to authorize the withholding of the clearance, and it would therefore be granted in the ordinary course.

Afterwards,

Lord ROBERT CECIL said, he wished to put a Question with respect to the two Blakeley guns on board the *Gibraltar,* stopped by order of the Government, as the answer would be of great importance to private interests. In the first place, he would read the following passage of a note written to Captain Blakeley:—

"We are informed by the Collector of Her Majesty's Customs for this port, that if we permit you to ship the two large fort guns on board the steamship *Gibraltar,* that vessel will not be allowed to clear, thus preventing us performing our charter-party with you. This action on the part of Her Majesty's Government is based upon the suspicion that ultimately your fort guns may find their way into the Southern Confederacy; the Collector, in reply to our question, having informed us, that if the fort guns were for the Federal, or Northern Government, no obstacles would be placed in the way of their being shipped, stating at the same time that such shipments to New York were of common occurrence."

He wished therefore to know, Whether there is any objection on the part of the Government to lay on the table all official Correspondence addressed to the Liverpool Collector of Customs with regard to the stoppage of vessels?

The SOLICITOR GENERAL said, in reply, that the letter from which an extract had just been read by the noble Lord ought to be a warning to hon. Members how they adopted suggestions of that description. As far as the Government were concerned, they had no reason for believing that there was a particle of truth in the statement read by the noble Lord. Indeed, it was impossible to believe that there should be, or that any officer in the Port of Liverpool should so wilfully misrepresent the instructions he received. The following were the facts with respect to the ship now called the *Gibraltar*, but formerly known as the *Sumter*, the well-known Confederate man-of-war. She had been in the port of Gibraltar, and was there watched by a Federal man-of-war, but a sale of the ship took place, the validity of which sale the United States never recognised. However, Her Majesty's Government did not think that they were called on to decide with respect to that point. The vessel then came over to this country, having been purchased by an Englishman, and arrived at Liverpool, when the Government, being informed that she was being armed with two guns of extraordinary weight and power, felt it their duty to satisfy themselves whether those guns were meant to be used as armament for the ship, and whether the ship was intended to return to the high seas as the *Sumter*, the Confederate man-of-war, or whether there had been a *bonâ fide* sale. As soon as it was ascertained that the guns were not fit to be used in the ship for the purpose of war, but were meant for exportation, that moment all ground for complaint ceased, and an order was issued for not longer detaining the ship.

Lord ROBERT CECIL: My Question has not been answered. The question was whether the Papers would be laid on the table.

CONSERVANCY OF THE RIVER STOUR. QUESTION.

Colonel ROWLEY said, he would beg to ask the Secretary to the Treasury, Whether any negotiations are being entered into with any private individual or individuals to let the Foreshore claimed by the Crown near the entrance of the Stour for the purposes of an Oyster Fishery, there being a Bill at present before the House to place the conservancy of the Stour under a Board?

Mr. PEEL replied that negotiations were pending, with a view to the protection of the rights of the public in the navigation of the Stour. Oyster-beds were formed in a part of the Stour which was independent of the conservancy of the river.

NAUTICAL SCHOOL, GREENWICH HOSPITAL.—QUESTION.

Sir MORTON PETO said, he wished to ask the Civil Lord of the Admiralty, Whether it is intended to erect an additional wing to the Nautical School Buildings at Greenwich which would not be in keeping with the new wing lately erected at a considerable cost to the funds of Greenwich Hospital; and whether there would be any objection to an outline plan of the proposed wing being laid before Parliament before incurring any further expenditure on account thereof?

Mr. STANSFELD, in reply, said, no plan had been adopted by the Board. The subject had been partly considered, and he had received a Report upon it that day. There would be no objection to lay this Report upon the table; and, in the mean time, he should be happy to show the plans to his hon. Friend.

DEMOLITION OF THE CHURCH OF AUSTIN FRIARS.—QUESTION.

Mr. D. FORTESCUE said, he would beg to ask the First Commissioner of Works, Whether he is aware of the intended demolition of the ancient Church of Austin Friars in the City, the appropriation of one part of the site to an Ambassadorial Chapel, and the conversion of the remainder to purposes of profit; and whether he has no power to restrain the parties claiming the exercise of such rights from effecting the destruction of one of the finest remains of antiquity in the City?

Mr. COWPER, in reply, said, he had no information upon the subject referred to. He should certainly sympathize with his hon. Friend in his regret at the possible demolition of so interesting a work of architecture as that of the Church of Austin Friars; but he had no authority or power to stop the proceeding to which his hon. Friend had alluded.

THE MHOW COURT MARTIAL. QUESTIONS.

Mr. CONINGHAM said, that before putting the Questions to which he desired to receive an answer, he wished to make a brief statement in order to place the facts clearly before the House. Captain Smales was informed by the War Department in January that an official notification had been addressed from the Horse Guards to the War Office, to the effect that he had, on the 13th of July 1862, ceased to belong to Her Majesty's Army, and his name in consequence had been removed from the *Army List*, although that removal appeared in the list only in the January of 1863. Captain Smales further stated that in adverting to the illegality and irregularity which he had brought under review, he asked whether these matters had been brought under the consideration of the Judge Advocate General—that is, the proceedings and not the sentence—and if so, whether after such consideration Her Majesty had been pleased, upon the recommendation of His Royal Highness the Commander-in-Chief, to confirm the finding of the sentence recorded against him on the trial. Captain Smales further stated that no notice had been conveyed to him of removal other than the order of Sir Hugh Rose, and he was further advised that under no circumstances could an officer be deprived of a commission unless such deprivation were confirmed by Her Majesty upon the recommendation of the Commander-in-Chief. [" Order, order !"] He should be obliged to move the adjournment of the House if he were not allowed to proceed. He begged further to point out, that although the statement had been made that those proceedings were submitted to the Judge Advocate General on the 4th of June 1863, Captain Smales received a letter from the Judge Advocate General's office, saying that if he called at the office, the Judge Advocate must decline to see him, because all the papers had been submitted to the Judge Advocate General, and were under consideration. On the 8th of May previous, General Forster stated that no further steps should be taken until fresh information was received from India. He should now, therefore, ask the Under Secretary of State for War, If the whole of the facts and proceedings connected with the Mhow Court Martial were neither in possession of the authorities at the Horse Guards, nor submitted to the Judge Advocate for his opinion, prior to Paymaster Smales being gazetted out of the Service; then, in that case, what are the additional facts which have subsequently transpired, and are they of such a character as to have altered or modified the opinion of either the Commander-in-Chief, or the Judge Advocate, or both, as to the legality of the proceedings on the trial? He wished also, to add that Captain Smales had been informed by the Adjutant General that he had recommended a modification of his sentence.

THE MARQUESS OF HARTINGTON said, in reply, that the hon. Member for Brighton had entered into a somewhat long statement with respect to the Mhow Court Martial, which he was sorry to be obliged to confess had not tended to make clearer to him the Questions of which the hon. Gentleman had given notice. Before replying in the fewest possible words to the Questions which the hon. Member had placed on the Paper, he hoped the House would allow him to correct an error which appeared in the report in the newspapers. It was stated that he (the Marquess of Hartington) promised to lay on the table the second memorandum of His Royal Highness the Commander-in-Chief, together with the private letters which covered it. Now, he referred to the private letters merely to show that the memorandum was a private one, and he believed he stated, or intended to state, that the letters being private could not be produced. He had referred to the letters, not because they had any bearing on the subject, but as showing that the memorandum was a private one. He, therefore, only stated, or intended to state, that the memorandum, and not the letters, would be produced. Now, in reply to the Question of the hon. Gentleman, he had to repeat what he had stated on several occasions in reply to other questions, that the whole of the proceedings with respect to the Court Martial were laid before the Judge Advocate General, and his opinion upon them was taken. [Mr. CONINGHAM: As to the legality of the proceedings?] He had also stated that certain allegations had subsequently been made by Captain Smales, and these also had been submitted to the Judge Advocate General. With regard to the latter part of the hon. Gentleman's Question, it must be evident to the House that it was impossible within the scope of an answer to a Question to go into a long detailed statement of the additional facts. And as to their effect upon the opinion of the Commander-in-Chief or of the Judge Advocate General, he was sorry to have to reply that the communications which take place between the Commander-in-Chief and the Judge Advocate General are of a confidential nature, and it would be most irregular and prejudicial to the service that such communications should become matter for discussion in that House. He trusted, then, that with the assent and approbation of the House, he should be permitted to decline entering upon any statement as to the opinions of the Commander-in-Chief and the Judge Advocate General. The Government had promised to lay upon the table the proceedings of the Court Martial, and he could assure the House that would be done with as much despatch as possible. He understood it was the intention of the hon. Member for Brighton (Mr. Coningham) to call attention to those proceedings, and it would be perfectly competent for him then to make any statements he thought proper. But, until that time, he submitted to the House that it was most inconvenient that a premature debate should take place, for those Questions did constitute a debate, because the hon. Member replied to answers which he (the Marquess of Hartington) gave one evening by Questions involving an argument the next.

RECOGNITION OF THE SOUTHERN CONFEDERACY.—QUESTION.

MR. W. E. FORSTER said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether any communication has been received by the Foreign Office from the French Government relating to the recognition of the Southern Confederacy? He would also beg to ask, in consequence of certain remarks which have appeared of late in the public journals, Whether any recent communication has passed between this country and the French Government with regard to an offer of mediation or a proposal for an armistice between the contending parties in America?

MR. LAYARD: Sir, it is very important that I should give a clear and definite answer to my hon. Friend. No communication whatever, either as regards an offer of mediation or a proposal for an armistice, has been received by Her Majesty's Government from France up to this moment.

MR. W. E. FORSTER: Or recognition?

MR. LAYARD: Neither recognition, nor armistice, nor mediation, nor any subject of that nature.

PRECEDENCE BETWEEN EDINBURGH AND DUBLIN.—QUESTION.

MR. BLACK said, he would beg to ask the Secretary of State for the Home Department, in regard to the printed correspondence relating to the corporations of Edinburgh and Dublin, If the deliverance of Sir Charles Young, Garter King at Arms, is to be held as authoritative in the question of precedence between Edinburgh and Dublin in presenting addresses to Her Majesty?

SIR GEORGE GREY said, in reply, that he knew no higher authority on the subject of precedence than Garter King at Arms, and he should feel himself quite justified in acting upon that authority.

IONIAN ISLANDS—REMOVAL OF JUDGES.

QUESTION.

MR. MACAULAY said, he wished to ask the Under Secretary of State for the Colonies, What are the "Lists" referred to in the Despatch of Sir Henry Storks, of September 20th 1862, as evidencing the practice of "removing or not re-appointing" Judges of the Supreme Council of Justice at Corfu; why they are not printed with the Despatch; and whether there is any objection to their being produced?

MR. CHICHESTER FORTESCUE said, in reply, that those "Lists" were not printed with the Despatch because they were not sent with the Despatch; and the reason why they were not sent with the Despatch was because the information had already, in great part, been laid before Parliament.

AFFAIRS OF GREECE.—QUESTION.

MR. SEYMOUR FITZGERALD said, he wished to put to the Government the Question of which he had given notice yesterday. By the Protocols arranging the accession of a Danish Prince to the Throne of Greece, it is stipulated that £12,000 a year should be surrendered by the three protecting Powers as a provision for the young King; and as £4,000 out of the £12,000 is to be surrendered by this country, he wished to know, In what form this sum of £4,000 became due to this country; whether, if paid by Greece, it will be paid into the Consolidated Fund; and if the surrender of it by this country is to be effected by the authority of the Crown, or whether any application is to be made to the House on the subject; and, if so, in what form, and when?

THE CHANCELLOR OF THE EXCHEQUER replied, that the sum of £4,000, to which reference had been made, was a portion of a very much larger sum due to this country, as its share of interest on the loan made by the three protecting Powers at the foundation of the Kingdom of Greece. Portions of the interest during the last three years had been received; and, when received, were paid into the Exchequer, and formed part of the Consolidated Fund. With respect to the latter part of the Question—namely, in what way the Government proposed to give effect to the surrender, his reply was, that that point was still under consideration, and he would give a precise answer in a very few days to that part of the Question.

UNITED STATES—FEDERAL RECRUITING IN LEEDS—QUESTION.

In answer to Mr. FERRAND,

SIR GEORGE GREY stated, in reply, that he sent to the Solicitor of the Treasury the papers respecting the alleged Federal recruiting in Leeds, in order that that officer might see whether, in the opinion of counsel, the statements contained in them were sufficient to serve as the foundation for legal proceedings. He had not yet received an answer on the subject.

UNITED STATES—RECOGNITION OF THE SOUTHERN CONFEDERACY.

RESOLUTION.

MR. ROEBUCK, after presenting a Petiton praying the House to enter into negotiations with the great Powers of Europe, with the object of recognising the independence of the Confederate States of America, said: I am well aware of the gravity and importance of the question I am about to bring before the House; and I well know, also, the sort of obloquy which will be directed against me for so doing by those persons who deem themselves the salt of the earth, and who think that every opinion of theirs ought to be the opinion of all other men, or that all other men ought to bow to their opinions. In spite, however, of that obloquy, believing the course I shall take to be for the interest of my countrymen, I now appeal to the House—to its honour and duty—to ask the Crown to enter into negotiations with the great Powers for the purpose of acknowledging the independence of the Southern States of North America. I must, in the first place, be permitted to lay before the House a very short history which I think necessary for the full understanding of my argument. Though I do not suppose that any Gentleman in this House is ignorant of what I am about to state, yet, in order to render my argument complete, I must lay this groundwork. About two centuries and a half ago England prepared to colonize the newly-discovered continent of America, and proposed to establish the Colony partly as a refuge for persons who wished to leave England, and partly with the view of laying the foundation of a great nation, and of thus creating a great purchasing Power for the commodities of this country. These Colonies were begun about 1606. The last Colony, Georgia, was founded in 1732. They owed nothing to the English nation as a nation, or to the Government as a Government, but they owed everything to the English people. From them they derived their language, their institutions, their manners, their literature, their laws, and their character. Thus they grew up, in fact, to be a great nation. Inspired and governed by the feelings of Englishmen, they took offence at what they deemed to be oppression. They resented that oppression, and determined to throw off the yoke of England. At that time England had the misfortune to be governed by a narrow-minded bigoted monarch, who resolved to crush the discontent of the American people. He waged a war which excited animosity between us and them. Instead of allowing them to separate peaceably from this country, they were divided from us by arms, and hatred was the consequence. Now, not only did the American people establish their independence, but they also established two points of international law, which I think of very great importance at the present time. The first was, that any body of people, determining to throw off their allegiance, were justified, if they had the power, in so doing; and we acknowledged that to be a principle of international morality by the treaty which we made in 1783. The second point was very remarkable. France interfered in that dispute, and France then bore the same relation to our revolted Colonies that we do now to the Confederate States of America. In making peace with France we assented to another rule of international morality sometimes called international law. Although we had declared war against France for recognising the rebellious Colonies as independent States, we admitted, when we made peace, that France was justified in acknowledging them before we ourselves did so. These two points of international law are, as I think, of the highest importance at this time, and I bring them to bear against the Northern States of America; for though other nations may dispute them, at least they cannot. Then began that great race of prosperity which the nation called the United States of North America ran after it became independent. There is one very curious thing in the history of this people, which is generally passed over with too little notice. After the war in 1816, the North American States entered on their course of Protection. The Northern States of the Union resolved to make the Southern States, the great producers of the continent, subservient to themselves. They established a tariff which threw the whole carrying power of the continent into their own hands and compelled the Southern States to be the purchasers of all manufactured commodities from the North. Henceforth, there grew up a dispute between the Northern and Southern portion of the Union. In 1827 an attempt was made by the South to relieve themselves from the yoke of the tariff, which failed by a very small number in the House of Representatives and a still smaller number in the Senate. Then sprang up in the mind of the Southern States a hope of making slavery the means of relieving themselves from that burden. They determined in every case to make slavery and slave States the point to which they would direct their attention, their object being to free themselves from the thraldom of the North, and to acquire the rights of free trade. This grew from day to day, from month to month, from year to year, till at last Secession came. At first some were misled by the talk of the North. In spite, however, of the literature of the North, in spite of the obloquy which they made Europe believe attached to the Secessionists, in spite of the boasting of the North that she had only to put forth her arm to crush the South, the truth became apparent. "Ninety days" was the talk, and men in England and in Europe believed the truth of the assertion that the war would be over in that time. Ninety days went past, and no conquest took place. Ninety days were added to that, and at last two years have rolled over us. That is the real, true history of the Secession and its results at the present moment. Now comes the question—What are we to do? I say at once we ought to acknowledge the independence of the South; and why? First, because they have a right to claim it. They are a gallant people, who, with a very small force, have resisted and conquered the North. They have rolled back the tide of invasion. It is not Richmond that is now in peril, but Washington; and if there be terror anywhere, it is in the minds of the merchants of New York. I see my hon. and learned Friend the Solicitor General in his place, and I ask him if he can refute this statement of international law, that when a people, having determined to be free, have proved their power of resistance, we are justified in acknowledging their independence; and that, as Sir James Mackintosh said, there would be no *casus belli* in our doing so. Well, then, shall we acknowledge the South? I say aye—first, because in point of fact they have vindicated their freedom; and next because it is our interest. At the present moment there is exhibited a phenomenon never seen in the history of mankind. Ten millions of civilized men, producing three of the great necessary commodities of Europe—cotton, sugar, and tobacco—are thrown upon the world for customers. They have cut their connection with the North. They have said to England, "We are here producing all you want in the shape of cotton, producing nearly all you want in the shape of sugar and tobacco. Thousands—nay, nearly a million, of your people are suffering from the want of these very commodities which we can supply. We offer ourselves to you as customers." Are we not prepared to accept that offer? What is it that prevents our recognising these States? I look at the Treasury bench, and sorry am I to observe the absence of the noble Lord who is really the Government. I ask those hon. and right hon. Gentlemen what is it that is in the minds of those who want us to refrain from accepting this great boon to England and doing this great justice to America? We are met by the assertion, "Oh, England cannot acknowledge a State in which slavery exists." Indeed, I ask, is that really the case, and is any man so weak as to believe it? Have we not acknowledged Brazil? Are we not in constant communication with Russia? And is there not slavery in both those countries? Moreover, does anybody believe that the black slave would be at all improved in his condition by being placed in the same position as the free black in the North? I ask whether the North, hating slavery, if you will, does not hate the slave still more? [*A few* "Noes!" *drowned in cheers.*] I pity the ignorance of the Gentleman who says "No." The blacks are not permitted to take an equal station in the North. They are not permitted to enter the same carriage, to pray to God in the same part of the church, or to sit down at the same table with the whites. They are like the hunted dog whom everybody may kick. But in the South the feeling is very different. There black children and white children are brought up together. ["No!"] I say it without fear of contradiction from any one whose contradiction is worthy of notice. In the South there is not that hatred, that contempt of the black man which exists in the North. There is a kindly feeling in the minds of the Southern planters towards those whom England fixed there in a condition of servitude. England forced slavery upon the Southern States of America. It was not their doing. They prayed and entreated England not to establish slavery in their dominions; but we did it, because it suited our interests, and the Gentlemen who now talk philanthropy, talked the other way. [*Laughter, and a cry of* "They were not living then."] No, but their ancestors were, and we have the same class now-a-days, with the same sort of cant and hypocrisy. Every man who has studied the question will distinctly understand the difference between the feeling of the Northern gentleman and that of the Southern planter towards the black. There is a sort of horror, a sort of shivering in the Northerner when he comes across a black. He feels as if he were contaminated by the very fact of a black man being on an equality with him. That is not the case in the South. I am not now speaking in favour of slavery. Slavery to me is as distasteful as it is to the hon. Member for Birmingham; but I have learnt to bear with other men's infirmities, and I do not think every man a rogue or a fool who differs from me in opinion. But, though I hate slavery, I cannot help seeing the great distinction between the condition of the black in the North, and his condition in the South. I believe, that if to-morrow you could make all the blacks in the South like the free negroes in the North, you would do them a great injury. The cry in the North in favour of the black is a hypocritical cry, and to-morrow the North would join with the South, and fasten slavery on the necks of the blacks, if the South would only re-enter the Union. But the South never will come into the Union, and—what is more—I hope it never may. I will tell you why I say so. America, while she was one, ran a race of prosperity unparalleled in the world. Eighty years made the Republic such a Power, that if she had continued as she was a few years longer, she would have been the great bully of the world. Why, Sir, she

> "———bestrode the narrow world,
> Like a Colossus; and we petty men
> Walked under her huge legs, and peeped about
> To find ourselves dishonourable graves."

As far as my influence goes, I am determined to do all I can to prevent the re-construction of the Union, and I hope that the balance of Power on the American continent will, in future, prevent any one State from tyrannizing over the world as the Republic did. Could anything be more insulting than her conduct towards us? Yet we who turned upon Greece—we who bullied Brazil—we crawled upon our bellies to the United States. They could not treat us contemptuously enough to raise our ire; but at last, when the secession took place, we plucked up courage, and resented the outrage upon the *Trent.* I say, then, that the Southern States have vindicated their right to recognition. They hold out to us advantages such as the world has never seen before. I hold, besides, that it would be of the greatest importance that the re-construction of the Union should not take place. Then comes the question—has the time arrived for recognition? I want hon. Gentlemen to tell me why the time has not arrived. At the present moment, a large portion of our population are suffering in consequence of the cotton famine. That is one reason why the time has come for the recognition of the South. Next, I say the time has come, because the Southern States have vindicated their right to be recognised. Moreover, they offer to us a boon such as the world has never known, but they are being driven to be a manufacturing people. They are making their own guns; and if you keep them much longer in their present condition, they will produce their own cotton and woollen goods. Thus interests will grow up which they will be obliged to protect, and we shall have the protective system introduced into the Southern States of America. That is a matter deserving of attention—a matter which any statesman, if I could see one, would take into his consideration. Such is the state of things at the present moment. The South offers to us perfect free trade; but if we allow this contest to go on—if we cower, as we have done hitherto, before the North, the Southerners will soon become a manufacturing population, and the boon will be withdrawn from us. But, if they ought to be recognised, and if the time has come, is the mode I propose a right one? The mode I propose is, that this House should pray the Queen to enter into communication with the great Powers of Europe with a view to the recognition of the South. Now, the great Powers of Europe really mean France. No other Power, with the exception of Russia, has a fleet that we need think about; and we know that Russia is not at present in a position to do anything. France is the only Power we have to consider; and France and England acknowledging the South, there would be an end of the war. Here I am obliged to enter into a sort of personal history. I hope the House will excuse me for doing so. What I am going to say is, that I know certain things about the state of the mind of the great French ruler which I am authorized, that is, I am permitted to lay before this House. I was met in the lobby outside some days since by an hon. and learned Friend of mine, who said to me, "You propose that the House should address the Queen, to ask her to enter into a negotiation with the great Powers of Europe. Now, I have heard to-day, on very good authority, that the mind of the French ruler has changed; and if Lord Palmerston can come down to the House and say so, what becomes of your Motion for the recognition of the South?" I acknowlged to my hon. and learned Friend the force of his statement, though, like the Scotchman about the fish, I doubted the fact; therefore I wrote to my hon. Friend the Member for Sunderland, knowing that he had obtained authority to write to the French Emperor whenever he wanted to see him, and I said to him in effect, "Suppose, for the purpose of ascertaining whether this rumour be true, we go across and ask at once for an audience." For, Sir, I know the Treasury bench right well. I know they are wonderfully expert at circulating rumours; indeed, when they have an object in view, there is hardly any rumour they will not circulate. My letter to the hon. Member for Sunderland got to Paris, and subsequently we had the audience asked for. I am now going to make a statement which the Under Secretary for Foreign Affairs may think somewhat surprising, but it is true for all that. The Emperor of the French said, and he gave me authority to repeat it here, "As soon as I learnt that that rumour was circulating in England, I gave instructions to my Ambassador to deny the truth of it. Nay more, I instructed him to say that my feeling was not, indeed, exactly the same as it was, because it was stronger than ever in favour of recognising the South. I told him also to lay before the British Government my understanding and my wishes on this question, and to ask them again whether they would be willing to join me in that recognition." Now, Sir, there is no mistake about this matter. I pledge my veracity that the Emperor of the French told me that. He told me that instructions had been sent to Baron Gros. And to tell me that the British Government does not know that that has occurred must mean some evasion, some diplomatic evasion. It cannot be the truth. And if there be contradiction between the witnesses, I pledge my veracity for what I state. I do not believe the world will doubt my word, and I pledge my word that that is the truth as far as I am concerned. And—what is more—I laid before His Majesty two courses of conduct. I said, "Your Majesty may make a formal application to England." He stopped me and said, "No; I can't do that, and I will tell you why. Some months ago I did make a formal application to England. England sent my despatch to America. That despatch getting into Mr. Seward's hands, was shown to my Ambassador at Washington. It came back to me; and I felt that I was ill-treated by such conduct. I won't," he added—"I can't subject myself again to the danger of similar treatment. But I will do every thing short of it. I give you full liberty to state to the English House of Commons this my wish, and to say to them that I have determined in all things"—and I will quote his words—"I have determined in all things to act with England; and more particularly I have determined to act with her as regards America." Well, Sir, with this before us, can the Government be ignorant of this fact? I do not believe it. With this before them, are they not prepared to act in concert with France? Are they afraid of war? War with whom? With the Northern States of America? Why, in ten days, Sir, we should sweep from sea the every ship. ["Oh, oh!"] Yes, there are people so imbued with Northern feeling as to be indignant at that assertion. But the truth is known. Why, the *Warrior* would destroy their whole fleet. Their armies are melting away; their invasion is rolled back; Washington is in danger; and the only fear which we ought to have is lest the independence of the South should be established without us. There is another observation which I have to make, and which I wish again to present to the minds of such hon. Gentlemen opposite as are capable of understanding it. It is this: A large portion of our manufacturing population have been for some months living upon charity. Now, there is very soon acquired a habit of idleness, and I have learnt from Lancashire that at the present time an unwillingness to labour is creeping upon the people; and if we carry them through the coming winter in idleness, we do not know what may be the consequence to our manufacturing population. Again, Sir, I will quote the words of His Majesty the Emperor of the French, and they are very remarkable words. He said, "I am afraid of the coming winter with respect to my manufacturing population." And my hon. Friend the Member for Sunderland said, "Sir, we do not dread the winter, although we know that great misery must of necessity be entailed upon our manufacturing population if the cotton famine continue; but we, Sir, desire to avert from our countrymen the calamity that must arise from the continuation of that famine." Now, I wish the noble Lord were here, for I want to make this suggestion. Hitherto, the sufferings of the Lancashire operatives have been borne with wonderful patience and fortitude. They have believed that the misery entailed on them has not been caused by any conduct of the Government. It was inevitable. It came upon them in spite of the Government, and the Government had nothing to do with it. An improved knowledge and civilization have led to this result as far as they are concerned, that seeing that the Government was not to blame, they have not, like ignorant people in former times, turned their anger against the Government. But, Sir, if the origin of their misery was not the work of the Government, will they not come to think that the continuance of it may be the work of the Government? Their patience, because the Government was not to blame, will no longer endure, when they find, as they will now find, that the continuance of their suffering is the result of the folly of the Government. I have to day had letters from Lancashire which say that in thirteen of the great towns there have been large meetings in favour of the recognition of the South—that that has been carried by an immense majority of ten to one, and that there will be no end to the Petitions sent up to this House for that measure. When these working men look around their desolate homes and see that they have no labour wherewith to support their children, and when they can point their finger to the noble Lord at the head of the Government, and say, "He is the cause of our misery," do not mistake the result upon the English mind. That popularity which has conquered all things will sink at once into the dust; and, like that amazing fabric of commercial prosperity in America which was immediately broken to pieces by secession, the popularity of the noble Lord will topple down a gigantic ruin, and he and his small friends will be swept from their seats. I have no doubt that I have now well-nigh exhausted the patience of the House. I have stated as shortly as I could the reasons which have induced me to make this application to the House. And now I will briefly review what I have said. At the present moment there is offered to us a great advantage. If we take time by the forelock, that advantage will be given to us, and we shall be a much greater people, and London will be the Imperial city of the world. But if we abstain from availing ourselves of this opportunity, it will go away at once to France. The cry about slavery is hypocrisy and cant. We shall do no harm to the black man if we adopt my Resolution. And I pray the House in all calmness to consider this question, and, as they are men of honour, justice, and benevolence, to grant me the Motion which I now make.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to enter into negotiations with the Great Powers of Europe, for the purpose of obtaining their co-operation in the recognition of the independence of the Confederate States of North America."—(*Mr. Roebuck.*)

LORD ROBERT MONTAGU said, that the hon. and learned Member (Mr. Roebuck) who had just resumed his seat, had stated that he expected to be covered with obloquy by those who opposed him, because that they considered themselves as the salt of the earth, and far superior to every one else. He (Lord R. Montagu) took this expression as an allusion to himself; and as he thought that this criticism might be founded in some reason, he had determined to study the mind of the hon. and learned Member, and learn humility from his example. What, then, was his surprise when he heard the many proofs which the hon. and learned

Member had let fall, of his pride and scorn of others. He (Lord Robert Montagu) had collected a few of these *acroamata.* The hon. Member for Brighton had chanced to smile while the hon. and learned Member was speaking; then the hon. and learned Member suddenly turned upon him, and said, "Ah! that is the laugh of ignorance." Presently, he broke out with some acerbity and fierceness against the hon. Member for Huddersfield, saying that "he pitied him for the slough of ignorance in which he was sunk." As he proceeded, he enlarged the sphere of his sarcasm and obloquy; and, attacking the whole Treasury bench, he had said that "the noble Viscount was the Government, and that all his Colleagues were absolutely of no account." He had still acquired courage as he went on, or else had opened his mind with less caution and reserve; from the Treasury bench his eye glanced round the House, and he said that "there was not a statesman in the House—he could not see any." Not even content with that, he had asserted that "any one who contradicted him was not worthy of notice," and that hon. Members "never thought properly of anything." But of himself the hon. and learned Member had stated that he spoke the mind of the Emperor of the French; that there was only one great Power in Europe, and that he (Mr. Roebuck) was the exponent of it. He (Mr. Roebuck) had been dazzled by the brilliant diadem on Imperial brows; he had crooked the knee to Imperial majesty, and caught the honeyed accents from Imperial lips; he had searched the inmost recesses, and been admitted to the mysterious depths of an Imperial breast, and had now come forward to reveal to an "ignorant House of Commons" the dark secrets which he had found hidden there. He (Mr. Roebuck) despised hon. Members as degenerate Englishmen. Degenerate? He thought, then, that they had descended from some high standard of morality. But the hon. and learned Member did not think that he, too, had so descended, or was so degenerate; for if so, his opinion would not be better than the opinions of those whom he despised; his judgment could not be more depended on than theirs. No: the hon. and learned Member regarded himself as the pure primæval pattern of man; as the genuine original type of *Civis Britannicus.* Yes: from the clear, cold empyrean of his virtue—from the topmost pinnacle of his superabundant excellence, he had looked down on hon. Members, and smiled sarcastically at them as they were groping in the darkness of ignorance, as they grovelled in their crimes, and were lost in the mazes of error. He (Lord Robert Montagu) could not, however, forbear to congratulate the hon. and learned Member on the aristocratic tendencies and despotic predilections which he had just evinced. The former he (Lord Robert Montagu) confessed that he shared, the latter he utterly repudiated. Not less than the hon. and learned Member was he partial to the South; not less than the hon. and learned Member did he sympathize with the noble struggle which the Southerners were carrying on for their independence; nor did he yield to the hon. and learned Member in a desire to see that independence accomplished. His despotic predilections, however, he (Lord Robert Montagu) did not share; he did not run to an Emperor at Vienna, nor did he bow the knee to an autocrat in France to know what he was to do in the British House of Commons. There were many in the House who were both able and willing to give better advice; he had often found them ready to give counsel, and had profited by their suggestions. He had come down to the House, armed in the cause of truth, and prepared to pay a just tribute to the speech of the hon. and learned Member He had now found that these two things were utterly inconsistent and incompatible. For he had looked for demonstration, but had been given vapid declamation; he had expected arguments, and had been foisted off with sneers, sarcasms, and rhetorical tropes. In fact, he had hoped that the hon. and learned Member would have succeeded in making out a good case for the South; he had trusted that his own Amendment might be beaten, and that the House would have been shown that it was both their duty and their interest to recognise the Southern Confederacy. What was the speech (he could not call it argument) of the hon. and learned Member? He began by sketching a history of the first settlement of the Colony in America, prior even to the year 1732. Then, passing to the War of Independence, he uttered plenty of the cant of revolution, calling our own King, George III., "a narrow-minded bigoted monarch." Then came his logic. Because that the United States had been successful in achieving their independence, the hon. and learned Member had said that they had "established a great point in international law,"

—namely, that a state may throw off the rule of its constitutional governors whenever it likes, and may separate from the mother state whenever it can! He proceeded to say, in like manner, that because the French had assisted them in obtaining that independence, "therefore another great principle had been established in international law,"—namely, that all nations have a right to do the like! Had ever such logic been heard in that House? In the next place, the hon. and learned Member had vouchsafed certain all-sufficient reasons for recognising the Confederate States—namely, because they had themselves almost attained their object! Because the prize was almost within their grasp, therefore we must step in and snatch it from them! The hon. and learned Member had said, "It is not Richmond that is threatened now, but Washington;" therefore let us step in and screen Washington from danger. Was that friendly to the Southern States? Would it be generous on our part? Much rather would he (Lord Robert Montagu) imitate Edward III., who had refused to come down and help his son in the battle, because that the Prince was likely to gain the victory alone, and the noble-minded King would not defraud him of a scrap of the glory. Moreover, this would take from the South all the weight, the stability, the security which they would enjoy, if they achieved their independence alone. The Federal States would always feel that the South had not been able to gain freedom for itself, and might therefore be again re-conquered whenever a fitting opportunity offered itself. There was another point in the speech of the hon. and learned Member to which he must advert. In private life they always endeavoured to get rid of feelings and divest themselves of prejudices, in order that their judgment might be clear and unbiassed; they sought to sever themselves from their passions in order that the eye of reason might not be blinded. Was this not much more necessary on an important occasion like the present, which involved the fate of millions, which concerned our own honour and integrity of conduct? And yet, what had the hon. and learned Member done? He had come down with irritating topics, and had endeavoured to stir up their feelings, to arouse passions, to create prejudices, to blind their minds and pervert their judgments, and prevent them from arriving at any just conclusion. He had exclaimed, "Could anything be more insolent than the conduct of the North to us?" This was the old sophistical notion—"Justice consists in doing to others as they have done to us,"—so long ago refuted; this was the doctrine "an eye for an eye, and a tooth for a tooth,"—so long ago condemned. Should we then really do wrong because we had been insulted? If so, we should thereby "establish another new point in international law." Then again, he had told a long story about a despatch which had been shown to Mr. Seward, and had said that for this reason the Emperor Napoleon would not condescend to communicate directly with our Government. He (Lord Robert Montagu) had heard of this a year ago, and had been told that the truth was this:—The French had been playing a double game, pretending a friendship for the North, and asserting that it was England who had kept them back from proving their friendship. Lord Russell therefore, to prove the duplicity of the French Government, had ordered the despatch to be shown to Mr. Seward. The Emperor, no doubt, refused to make to the British Government the communication which the hon. and learned Member had borne for him; for the Emperor knew very well what sort of answer he would get. The Emperor had, however, found a ready and willing tool, and had determined to make a catspaw of the hon. and learned Member. "The Emperor dreads the coming winter," said the hon. and learned Member! Just so; and therefore the hon. and learned Member may pull for him the chestnuts he so much desires, out of a fire too hot for Imperial hands to bear. He (Lord Robert Montagu) felt himself in rather an awkward predicament—he was somewhat like General Hooker after crossing the Potomac; he found an army and fortress in his front, but on looking round he found another army with the river in his rear, so that he was forced to fight, and could neither advance nor retreat. The hon. Member for Dungarvan had heaped up an enormous Amendment in his (Lord Robert Montagu's) rear; a regular stockade of a Motion, which it was impossible for him to cut his way through. It referred "with the deepest regret," to "the terrible waste of human life which has characterized the lamentable struggle;" it is "desirous to prevent the further effusion of blood;" it "calls on Her Majesty's Government, in the name of humanity (whatever the 'name of humanity' may be) and in the interests of civilization," to "recommend an immediate armistice;" and so forth. Now, he mistrusted any sudden desire to stop the effusion of blood, or the hasty adoption of this humanity argument, when he remembered that our own civil war had lasted ten years; and that the War of Independence with our North American colonies had lasted seven years, even though they were assisted by France; and that the War of Independence of the Spanish South American Colonies had lasted no less than fourteen years. Was it, moreover, a duty to interfere in order to stop the effusion of blood? If it be a duty, then it was always obligatory upon us, whether against Russia, or France, or China. In reading Canning's speeches the other day, he had been struck by an expression of that great statesman which bore directly on this point —namely, that the "golden rule" of private life was the golden rule of politics also. For as in private life he that never swerves from the rule of doing to others as he would like them to do to him, is thereby kept free from all those vexations and worries, and quarrels and bickerings, which are always besetting others; so also the State which observes the same rule with regard to other States will escape wars, and costly interventions, burdensome taxes and the weight of loans, distress, hardship, and scarcity of provisions. The case of the United States to-day might be their own to-morrow; it was actually our own condition but yesterday, Had they not a Sepoy rebellion? What would they have said if the United States, or Russia, or France, or some other Power had interfered to assist the Sepoys against them? Would they not have denounced the nation that thus intermeddled, and have told them, with a feeling of just indignation, that it was no business of theirs. Some years ago there were fears entertained about Ireland, and it was merely surmised that America was going to help the Irish; the whole of this country was indignant and agitated by a most excusable rage and anger at the bare suspicion of such a thing. But now they were called upon to do that which they had denounced on the mere supposition that it was about to be done by others. They had then recorded a curse in Heaven against any who should do what they now were asked to perpetrate. True humanity would urge them to promote the welfare of the whole Anglo-Saxon race, without indulging their prejudices in favour of North or South, or gratifying their passions because of bygone insults. They should endeavour to establish peace so that every point should be settled which might render possible a renewal of the civil war in future years. He believed that an armistice would perpetuate feelings of rancour and preserve seeds of discontent; it would reserve points of quarrel which would otherwise be spent; it would keep latent various matters now at issue. Those parties at war must be judged like the rest of humanity; and they all knew from their schooldays, that when combatants fought out their quarrel, they soon shook hands again and were friends; while those whose quarrel was repressed, bore deadly hate and nourished a feud. Besides, how was an armistice to be enforced? Did the hon. Member mean to say that they should have a war at once to carry that armistice into effect? It would, moreover, be little use to proclaim an armistice, unless a basis of mediation were definitely agreed on. Had such a basis been suggested? During an armistice the two parties keep their arms in their hands; how could they define the limits within which those parties should confine themselves? The limits now were most uncertain; the north held New Orleans and the Mississippi; the South held parts of Missouri, Kentucky, and Maryland. The South claimed the States to the west of the Mississippi, but yet the authority of the North still prevailed there. He did not see, therefore, how they could address themselves to the proposal of an armistice. And would such a course really stay the effusion of blood, and not rather increase it? If we recognised the South, the North would infallibly declare war upon us; our own blood would then be shed in addition to that of the South, and also of the many recruits who had left this country for the North. But if the hon. and learned Member meant war, then let war be deliberately declared; let them not profess to recognise merely, let them not deceive the people of the United States and our own nation also, by copious professions of amity and friendship. Why should the hon. and learned Member not say what he really meant? Because he knew that war would be unpopular, because he and all the world were aware that war meant heavy burdens and onerous taxes. The hon. and learned Member would, indeed, do well to beware of war; not because we should have to operate at a distance of 3,000 miles; nor because our shipping in every nook and corner of the world would have to be protected from American privateers; nor yet because the Guards, so sparsely scattered over Canada, would be taken prisoners; but because in such a war we should be arrayed against our own flesh and blood. The suffering and distress caused by the war in the cotton districts of this country had been alluded to by the hon. Member; and the remedy and prophylactic, the nostrum and antidote of the hon. Member, for all the want and hardship in Lancashire, was the recognition of the Southern States; but could any man believe that the mere recognition of the Southern States, without a war, would bring over a single bale of cotton? or that recognition with war would lessen the hardship, diminish the taxes, or stop the effusion of blood? Before entering on the discussion of any matter, it was always of primary importance to have a clear conception of the terms that were used; unless these were defined, confusion was sure to pervade the whole discussion, and no conclusion could possibly be arrived at. There were only three ways in which a foreign State could be said to interfere between two conflicting parties. First, when it was with the full and free consent of both parties to the conflict; it was then called either mediation or arbitration. Secondly, when it was made against the wishes of both; and thirdly, when it was made with the consent of only one belligerent. First, with respect to mediation and arbitration. A mediator merely gave advice and offered counsel; and both parties had agreed to listen; although they did not pledge themselves to follow it; and it was known that good counsels were generally spurned where listeners were prejudiced. An arbitrator, on the other hand, pronounced a decision which both parties had previously bound themselves to carry out; they had pledged themselves to abide by his judgment. The right to interfere, whether as a mediator or an arbitrator, did not rest with the intervening party; but he must be selected by the parties to the conflict, who had confidence in the known justice and integrity of the arbitrator. Secondly, when it took place contrary to the wishes of both parties, it was called intervention. Intervention meant to come between, to interpose by force; and therefore was an act hostile to both. Thirdly, where it took place with the consent of one and against the wish of the other, it amounted, in fact, to espousing the side of one and declaring war against the other. The word "recognition" was not mentioned by any of the old writers on international law; it was the manufacture, or rather the phantom, of modern times. Mr. Canning had stated, in 1823, that "the law of nations was entirely silent on this point;" yet he attached the general meaning to the word and defined the two senses of it very clearly. He said—

> "If the colonies say to the mother country, 'We assert our independence,' and the mother country answers, 'I admit it,' that is recognition in one sense. If the colonies say to another State 'We are independent,' and that other State replies, 'I allow that you are so,' that is recognition in another sense of the term. That other State simply acknowledges the fact, or rather its opinion of the fact."

This latter he treated as worth nothing, except there accompanied it "a treaty o alliance and co-operation." For, he continued—

> "The simple recognition by any neutral Power . . . could have no such effect as tranquilizing the State, and establishing and confirming its independence."

Sir James Mackintosh had likewise said—

> "The first [sense of the term recognition], which is the true and legitimate use of the word 'recognition,' as a technical term of international law, is that in which it denotes the explicit acknowledgment of the independence of a country by a State which formerly exercised sovereignty over it. Such recognitions are renunciations of sovereignty—surrenders of the power, or of the claim to govern."

With regard to the other meaning of the term, which he called "virtual recognition," he had said—

> "It implies no guarantee, no alliance, no aid, no approbation of the successful revolt, no intimation of an opinion concerning the justice or the injustice of the means by which it has been accomplished. These are matters beyond our jurisdiction. It would be an ursurpation in us to sit in judgment upon them. As a State, we can neither condemn nor justify revolutions which do not affect our safety and are not amenable to our laws."

The Resolution of the hon. Member for Sheffield amounted, therefore, to a desire for an alliance to go to war with the North. He hoped to show, on the contrary, that we had no right to recognise the South, or to intervene in the quarrel in any way; further, that alliances such as the hon. Member proposed had always been productive of mischief and misunderstanding between the allies themselves; and lastly, that intervention would be injurious both to this country and to the Confederate States themselves. An expression of thanks was due to the writer in *The Times*, well known to be a lawyer of repute and authority, whose letters, signed "Historicus," had placed in a clear light what otherwise would have been a matter of doubt, mystery, and perplexity. According to that gentleman, while the contest for government, or, in other words, rebellion, was going on in a country, there were only two possible courses open to other nations —either to remain neutral, in which case the mother country was to be regarded as the sovereign State, while belligerent rights were possessed by the other side, but no other rights whatever; or else war must be declared, which might be either a forcible intervention against both parties, or else (as is more generally the case) it consisted in espousing the cause of the one party and waging war on the other. *Wheaton*, in his standard work on international law, had laid down that—

> "Until the revolution is consummated, while the civil war involving a contest for the government continues, other States may remain indifferent spectators of the controversy, still continuing to treat the ancient Government as Sovereign, and the Government *de facto* as a society entitled to the rights of war against its enemy; or may espouse the cause of the party which they believe to have justice on its side."

But some hon. Members perhaps might say, "Why not remain neutral and yet recognise?" He thought he had already shown that these two things were incompatible; yet he would inquire further into the objection. Let him ask what was the meaning of neutrality. The right hon. Gentleman the Chancellor of the Exchequer in 1859 gave a definition so concise and clear that he would take the liberty of quoting his words. Speaking of Mr. Canning, he had said—

> "The impartiality of his neutrality would have been violated if he had offered suggestions in the spirit of party; the impartiality of his neutrality would have been violated had he interposed by any underhand means."

And speaking of the neutrality on which Her Majesty's Government had acted, he added—

> "Its limit is that we should refrain, not from entertaining our own opinion, but from giving effect to it, either by manifestations in this House or by diplomatic action, otherwise than the public law of Europe may permit, or opportunities shall be fairly opened."

And now, with regard to recognition, he would quote a writer on international law, a statesman of this country, and a statesman of the Southern States. Dr. Phillimore (vol. ii., p. 15) had declared that—

> "Two facts should occur before this grave step be taken, whereby the neutral power becomes the ally of one of the hitherto belligerent parties—(1), the practical cessation of hostilities on the part of the old State; . . . (2), an absolute *bonâ fide* possession of independence."

And quoting the very precedent to which the hon. and learned Member had referred, the recognition by France of the independence of our American Colonies, that writer said, never was there a war declared on juster grounds than that commenced by George III., on the recognition of the independence of those Colonies by the French. Lord Liverpool had held language much to the same effect. He said—

> "With regard to the question of the recognition of independence, they both agreed that it was to be considered on two grounds—the first, of right; the second, of expediency. That where no right existed there could be no expediency, was an inference in which they both agreed. . . . There could be no right while the contest was actually going on . . . The question ought to be, 'Was the contest going on?' He, for one, could not reconcile it to his mind to take any such steps so long as the struggle in arms continued undecided."

President Jackson, a native of South Carolina, to whose opinion the Confederates would probably attach importance, had laid it down, in his Message of December 21, 1836, that—

> "The acknowledgment of a new State as independent and entitled to a place in the family of nations is at all times an act of great delicacy and responsibility, but more especially so when such State has forcibly separated itself from another of which it had formed an integral part, and which still claims dominion over it. A premature recognition under these circumstances, if not looked as a upon justifiable cause of war, is always liable to be regarded as a proof of an unfriendly spirit."

These quotations, although but a tithe of what might be given, would suffice to show that recognition, where it was not the mere acceptance of an independence already acknowledged by the mother country, amounted to intervention and an act of hostility and war. Lawyers attached much weight to precedents; he supposed, therefore, that he must discuss all the precedents which bore upon this matter. First, there was the recognition of Hungary, attempted by the United States, in 1849. The rebels were in full possession of all the territory. Every one of the Austrian troops had been driven from Hungary, and Austria had not a man left to govern the country. The United States thereupon sent over Colonel Dudley Mann to Kossuth, with full powers to recognise

Hungary as an independent State. Yet the whole of Europe, with one consent, reprobated the action of the United States, and the Americans themselves had not attempted to justify their conduct. The next case was that which the hon. Member had referred to. On the 13th of March 1778 the Marquis de Noailles informed King George that the French Government, deeming our Colonies to be virtually independent, had recognised them as such, and concluded with them a treaty of amity and commerce. It was quite true that at the time a treaty of alliance offensive and defensive had been concluded; but the fact was not known then, and was a secret till long afterwards. Four days after that communication, on March 17, King George III. recalled his Ambassador from France, and sent the French Ambassador his passports; and Parliament was informed by the Crown that this step had been taken in consequence of the French Ambassador's communication. The "justifying memorial" drawn up by Gibbon, and published in the *Annual Register* for the year 1779, stated the gravamen to be, that France—

> "Is content to maintain that the revolted Colonies enjoy in fact that independence they have bestowed on themselves. . . . . Under such circumstances it is impossible, without insulting in too gross a manner both truth and reason, to deny that the declaration of the Marquis de Noailles ought to be received as a true declaration of war."

The memorial also quoted the expression of King George III., that this recognition was "an act of hostility, a formal and premeditated aggression." The next precedent occurred during the war of the Spanish American Colonies with the mother country. That war had begun in 1810, and after it had continued for eight years the people of Buenos Ayres, who had then an extensive trade with the United States, applied to the United States Government to be allowed to send a Consul to Washington, seeing that there was an American Consul at Buenos Ayres. But President Adams replied that he could not permit it, because it would amount to a recognition of their independence, whereas the continued residence at Buenos Ayres of a United States Consul, who had been accredited to Spain before the Revolution, implied no recognition of any particular Government. There was another precedent on the same occasion, which was furnished by our own conduct. At the Congress of Verona, Great Britain and the United States protested against the right of the allied Powers to interfere between Spain and her Colonies. Mr. Canning went even so far as to declare that he would consider it a cause of war if any Power ventured to recognise them. In the year 1824, after the contest had been going on for fourteen years, and every Spanish soldier had been removed, Mr. Canning wrote to our Minister in the Peninsula stating that His Majesty's Government would not anticipate, in the matter of recognition, the mother country herself, and that they had no right to recognise the revolted Colonies before the mother country should lead the way in that recognition. Yet at this time Spain had abandoned all efforts in Columbia and Buenos Ayres; and had nearly given up the contest in Chili and in Mexico. On the 15th of January in that year a case had occurred very like what had just taken place in that House. Sir J. Mackintosh presented a Petition for the recognition of the South American Republics. That Petition was from the merchants of London; while the Petition presented by the hon. and learned Member for Sheffield was only from a few people gathered in the market-place at Oldham. The Petition of Sir J. Mackintosh was presented after a fourteen years' struggle, and when every Spanish soldier had been driven out of the country; that of the hon. and learned Gentleman had been presented after a two years' war, and when the resources of the South were straitened to the utmost by the Northern arms. Sir J. Mackintosh's Petition, moreover, recited the fact that two years before, in 1822, an Act had been passed by the House of Commons to permit and legalize a trade with the South American States. And therefore, even apart from the great difference between the two men, Sir J. Mackintosh's case was infinitely stronger than that of the hon. and learned Member for Sheffield. Mr. Canning, in his reply, stated that twice had Spain proposed a Congress to treat on the subject, but that he had twice refused, holding that it would be "neither just nor generous" to recognise them until Spain had done so beforehand. In 1825 Buenos Ayres and Chili were recognised on the ground, according to Mr. Canning's speech on the Address, that for many years there had not been a Spanish soldier on the territory of Buenos Ayres; and that "the first necessary condition of recognition by a foreign Power had long existed in that state; its soil was free." Columbia was in a like condition; yet Mr. Canning had refused to recognise her, because she had sent an armed force against Peru, which might have the effect of bringing back the Spaniards into the heart of Columbia. She therefore could not yet be recognised as independent. He passed now to the second point—namely, that an alliance to intervene always ends in quarrels between the allied Powers themselves; that union and association for such purposes, always resulted in disunion and bickering. This was a truth which could be proved only by actual facts and events. That was the case in regard to Belgium. In the year 1830 that country did not pretend to have achieved its independence; in fact, the Dutch were about to re-occupy Brussels, when the Conference of London proposed to create a kingdom of Belgium. *Wheaton* stated that the King had invited a Conference of the five Powers to determine "how the future independence of Belgium could be combined with the stipulations of existing treaties." They met on the 20th of December 1830, and signed a protocol determining the basis of the intervention, and proclaiming an armistice. But both the revolutionary Government and the King of the Netherlands repudiated the settlement proposed by the five Powers. The five Powers then immediately quarrelled among themselves. England and France sided with the Revolutionists; while Russia and Prussia took part with the King of the Netherlands. Thereupon the Prince of Orange fought a battle, and defeated the Belgians. Instantly, France and England came to the rescue. But Russia and Prussia threatened us with war; and thus nine months of war was the result of intervention in the cause of Peace. In October 1831, a "final settlement" was agreed upon; which proved, upon trial, to be by no means final. A year afterwards, in October 1832, a convention was concluded, between France and England, to force the evacuation of Antwerp; we sailed into the Scheldt, while France invaded Belgium. Russia and Prussia menaced us with war; but peace was eventually concluded in May 1833. Then take the case of Greece. The insurrection broke out in 1821. Greece had fought for six years and had by no means achieved her independence; nay, the Turks were about to reduce them to submission, when England, France, and Russia resolved to intervene. Then occurred that intentional accident at Navarino. In 1828 the French invaded Greece, in order to expel the Turks. And then from 1828 to 1833 the patriots quarrelled among themselves, flew at each other, cut each other's throats, and the whole land was a scene of blood and carnage. All this time Russia was playing her own game, and advancing on Constantinople. But England entered into a secret treaty with Austria (against her ally, Russia), to protect the integrity of Turkey. He had the authority of *Alison* for asserting that orders had been sent out to the English Admiral in the Levant to attack the Russian fleet, when the Treaty of Adrianople was concluded and peace established. Thus this alliance to intervene in the cause of peace, had been the origin of twelve years of bloodshed. He need not mention the alliance to intervene in Syria, for the House remembered the bad blood which was stirred up, and the reports which were current that the French had sent over rifles to the Maronites, and printed an incendiary paper, vilifying us, which they disseminated throughout Syria. Neither need he allude to the jealousies which were engendered by the alliance in China. Then, again, there was the case of Mexico. We intervened, together with France and Spain; but before long we found the only thing we had to do was to get out of the matter as quickly as possible; so we had retired with more speed than dignity. It might be said that in the case of Mexico France had pursued a selfish policy. But how did they know whether France was not pursuing a selfish policy in this case also, and that the hon. Member for Sheffield was only the tool of that policy? France might be intending to throw in that very case of Mexico, into the settlement of American affairs; or else she might intend to *revendiquer* the ancient colony of Louis XIV—namely, Louisiana, which had been ceded to Napoleon by Spain, under the Treaty of San Ildefonso; and given by Napoleon in 1808 to Monroe, because of the British cruisers. The proposal of the hon. and learned Member therefore, though bad enough before, is rendered doubly bad and dangerous by this proposed alliance to intervene. But even if we did associate ourselves to intervene, where was the common basis of action? How could we define the boundaries of the South? Intervention, to be successful, must exhaust every point in dispute, and embrace every subject in controversy. Take now that one point of slavery; what should be said on that one point? Besides, we had to take into account that the North is now a great military power, while we had but few troops, widely scattered over Canada, and an easy prey to an invader. The capture by the North of our scattered garrisons there would make us look rather small in the eyes of the world. Our commerce would also certainly have something to fear from the *Alabamas* and the *Floridas* which the North could put upon the seas. He was not appealing to the fears of Englishmen, but was simply pointing out some of the consequences that would inevitably follow from our intervention in this contest. There was another point. We imported largely of grain, our two chief sources of supply being Poland and the North West States of America. Was it likely that we should be able to get much from Poland under her present circumstances? No. Then we must rest mainly upon supplies from North America. But how would war affect that? Would not the distress in England be aggravated by a war with America? From the Northern States of America we received 5,500,000 quarters of corn, whereas from the north of Europe we received only 2,000,000. The total imported into England in 1861 was 16,094,914 quarters, of which more than one-third came from the North Western States—namely, Illinois, Michigan, Indiana, and Wisconsin—whose yearly available produce was not nearly exhausted by their exports. At least, this was the statement contained in the memorial of the Illinois Commissioners. If those states could find a market for their corn in England, it would promote a good feeling between them and Canada; but if this country went to war with America, that good feeling would be prevented. In fact, a desire for alliance with us was already growing up in those States. By holding back from war those North Western States will force a trade with us, through Canada; and perhaps, with that object, enter into close alliance with us, while the transit of the goods would be of material benefit to Canada: while by running the risk of war we should be injuring ourselves commercially in the greatest degree. It would be no less baneful to the Confederate States themselves. Every alliance to intervene had been ostensibly for the good of the suffering country; yet every such intervention had only served to increase their misery and distress. "Pacification" had always resulted in internecine struggle; "Well-being" had ever caused poverty and wretchedness. The South was now doing well. Why, then, interfere and spoil their chance? The hon. and learned Gentleman had spoken of the recent invasion of the North, and said that Washington was now in danger, and that the South had nearly achieved their object. Why, then, in the name of common sense, not leave them alone to achieve it themselves? To intervene now, when the South was described as all but successful, in order to receive a share of the glory of the conquest, would be both unfair and ungenerous. To proclaim an armistice would give a breathing time to the North; and when recruited she would recommence the struggle with redoubled fury, and carry it on with increased energy. The only chance of peace was when every one shuddered at the name of war. Above all things, he recommended the South to avoid being protocolled; diplomatic ability was the ruin of States. In conclusion, he trusted he had shown that it was not our duty to thrust ourselves into every struggle; but that we should oberve the "golden rule" in politics as much as in private life. That by such a fratricidal war the effusion of blood would not be stopped, but increased; that the hardships of Lancashire would not be lightened, but that the burdens of the people would be augmented, and the sources of food for this country would be cut off. Nay, worse; these alliances to interfere in America would end in years of quarrels and bickerings in Europe, and would effectually ruin the South, and deprive it of that stability and confidence which would result from achieving its own independence. Why, then, should we risk our good name and fame, and endanger our very peace and quiet, where there is no rivalry of opposing churches, nor ancient feuds of race to combat? Much more did he concur in the words spoken on the 5th of February last, by the Earl of Derby, in the presence of the future King of England. That noble Earl had then said—

> "I confess I cannot bring myself to the conclusion that the time has arrived at which it is either wise, politic, or even legitimate to recognise the South."

And with regard to recognition, while the struggle was still continuing, the noble Earl had said—

> "But in that case [when the war is not at an end] recognition is always followed by something further; for it means nothing unless the Powers who join in it are ready to support by force of

arms the claims of the State which they recognise."

The noble Earl then came to this conclusion—

"I fear that the war must go on until both of the combatants see the necessity of coming to some settlement." [3 *Hansard*, clxix. 24, 26.]

On these grounds he begged to move the Amendment of which he had given notice—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House earnestly desires that an impartial neutrality should continue to be maintained by Her Majesty's Government during the present unhappy contest in the States of North America," —(*Lord Robert Montagu,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. CLIFFORD said, he should give his cordial support to the Amendment, for he thought that if any precipitate act plunged this country into hostilities with the United States, a new feature of horror would be added to those now to be witnessed in America. But whilst he fully agreed in the conclusions to which the noble Lord (Lord Robert Montagu) had come, he did not wish it to be supposed that he coincided with the sentiments by which those conclusions were prompted. He thought that hon. Members should abstain from all violence of language, such as had been used by the hon. and learned Member for Sheffield; and, for himself, he should carefully abstain from applying strong language to either of the parties engaged in this miserable contest, for he believed it was a struggle in which both parties had acted from conscientious motives. It was only natural that those on the one side, who had been taught from their youth to consider America as a united nation, should be loath to see its dismemberment; whilst he knew that the other side, who had been trained to believe in the sovereignty of their States against the Northern Federal principles, believed they were standing up for the defence of their hearths and homes, and gallantly did they maintain the principles they had been taught. There was nothing in this struggle which justified the comparison which the noble Lord had made between the Confederates and the Sepoys, and nothing which made it analagous to an insurrection in Ireland, a province of England, or a department of France. If they wished to trace the origin of the disastrous scenes now passing in America, they must go back to an early stage of history. The Southern States could not be said to be waging a war of rebellion, for the Constitution which bound the States together distinctly acknowledged that for all purposes, except for such matters as Customs, Indian treaties, coinage, the Post Office, and external relations, the States were separate sovereignties. So strong was the feeling against the Federal system, that when Calhoun was on his deathbed, and his chaplain was praying for the welfare of the American nation, the dying statesman interrupted him to assert that there was no such thing in reality as an American nation. "We are not," he said, "a nation, but a confederation of States." The Northern States had no more right to interfere with the Southern States on the question of slavery than the Emperor of Russia would have a right to interfere between us and our West Indian Colonies in a similar question before we granted negro emancipation. The slave trade was stopped; but as far as regarded the slaves on the lands in certain States, the other States were forbidden by the Constitution to interfere with them. He did not wish it to be supposed that he was at all in favour of the institution of slavery, for he thought it equally degrading to the master and the slave; but he did not believe that the majority of the Southern masters were cruel masters. Cruelty on the part of the masters was the exception, and not the rule; and when the exception occurred, the law forbade any inquiry to be made in respect to the relations existing between master and slave, if the master, in inflicting punishment, stopped short of the extreme punishment of death. The law could take no notice of stripes, mutilation, or torture, as long as life was spared. That was not a state of things which an Englishman could regard with anything like approbation. Hitherto, however, slavery had derived its chief support from the fact, that when any question as to the slave trade arose with this country, the power of the whole Federation was employed to uphold the institution. Some years ago he visited the prisons at Charleston, in company with an American friend, and found several black sailors there who were incarcerated for no other offence than being negroes, and who were liable to be sold as slaves to pay the expenses of their maintenance, if the captain of the ship to which they belonged did not pay the money for their keep. He asked his conductor whether, if these happened to be English subjects, we could apply for redress to the Federal Government. The reply was that we might make the application, but that the Federal Government had already decided that the case was one with which the authorities at Washington could not interfere, and that it was simply a State regulation. Upon that, he (Mr. Clifford) suggested that England might take them at their word, and declare war, not against the Federation, but only against the State of South Carolina; but his friend replied, that if we touched a single State, we committed an act of hostility against the whole Union. So that, in reality, the whole power of the North was engaged to support the system. Even Mr. Lincoln's proclamation was admitted to be an illegal act, and to be justified only as a war measure. Looking at the question broadly, he would say that he was himself the friend of both North and South; but it would be idle to disguise the change of feeling which had occurred during the last two years. Into whatever society one went, high or low, one found that the general impression was that the South was making progress, and that its efforts would ultimately be crowned with success. That revulsion was attributable partly to the insolence of the Northern press, and to the aggressive and insulting conduct of one of the Federal commodores; but also, in no inconsiderable degree, to the wanton barbarity with which the Federal Government had allowed its officers to wage the war. They read, not of victories gained by the Federals, but of the desolation which they spread over countries which were lately blooming with fertility, as though they sought to emulate the ravages of Attila or Genghis Khan. Who could read without horror of lands as wide as the whole of Scotland being submerged beneath the flood of the Mississippi, and of the burning of Jacksonville, and of the destruction of churches, houses, and private property of all kinds? And these things were done, not for military objects, which would afford some excuse for them, but out of such sheer wanton malice that even the negroes looked on disgusted and aghast. Again, had the condition of the negroes been at all improved by the war? Why, they had been shot down by Federal soldiers, under the eyes of their officers, who never interfered. In Illinois the whites, jealous that the negroes should dare to compete with them in honest labour, had burnt their houses over their heads; in fact, the blackman was as unhappy as the flying fish, which had its enemies both in sea and air, and could find refuge on neither side. General M'Neil had shot six innocent men in cold blood; but the Government had not ventured to punish him or any of the other malefactors who had committed similar atrocities. Nor had they tried to arrest the devastations of Blenker. That the end of all this must inevitably be the separation of the two groups of States was the conviction of almost every thinking man in Europe, and even in America. Already there were signs that the struggle was drawing to a close. A considerable peace party was growing up in the North, and these, added to the people of the South, gave a majority against the continuance of the war. He was sorry for the disappointment of those who, with the hon. Member for Birmingham (Mr. Bright), contemplated the establishment of a vast empire stretching from the pole to the tropics; but he could not resist the belief, that if peace were not soon concluded, the North would be apt to fall under a sheer military despotism. Even at the present an approach to that result had been made, as was shown in the arrest of Mr. Vallandigham for having spoken in favour of peace. The President's argument that the man who dissuaded a recruit from joining the army did as much harm as he who killed a soldier was very remarkable, and implied that peace ought never to be advocated or war terminated. In conclusion, he would remind the House of the emphatic warning that Mr. Everett, a good and able man, uttered ten years ago, against the spirit of military aggrandisement, which, as he showed, had been the ruin of Greece and Rome, and might also be fatal to America, if, instead of trusting to natural and peaceful progress, she resorted to conquest.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I am desirous, at the commencement of such remarks as I have to offer to the House, to take a lesson from the hon. and learned Member for Sheffield (Mr. Roebuck), who told us he had learnt to bear with the opinions of others when they differed from his own. I wish to record my adhesion to that sentiment; I may go, indeed, a step further, and say that I think it is the duty of every Member of this House, and most of all of every adviser of the Crown, in approaching this question, to use his best endeavours to suppress within his breast everything like passion—I would almost say to lay aside every vestige of feeling even in regard to it. Our duty is to treat this matter as one of dry fact, and, however passion and feeling may tend to intrude themselves into the arena of reason, to strive to hold the balance even, and to deliver our judgment with as much impartiality, as much abnegation of all selfish prejudices, and of all angry emotion, as if we were sitting on the bench of justice, or in the box of jurymen. It is impossible, if we look at the matter as one of feeling, not to see that the feelings with which we must regard it are very mixed. If we take the case of the Southern States, there can only be few who do not sympathize with a resistance as heroic as ever has been offered in the history of the world on the part of a weaker body against the overpowering and vastly superior forces of a stronger. But, on the other hand, if we look at the cause of the South from that point of view in which it stands so intimately connected with at least professions of strict adherence to slavery, a strong counter-current of feeling must arise in the mind. I mention those circumstances because I think that, upon the whole, we are without excuse if, in a case where different considerations tend so powerfully in opposite directions, we suffer our judgments to be bewildered by strong sentiments of partisanship either on one side or on the other. So, likewise, with respect to the North. I agree with the last speaker in thinking it impossible for any Englishman, whatever may have been his prejudices against American institutions, not to have a very strong feeling of sympathy with those who had formed in their own minds exalted visions of the great future of their country, stretching from one end of a great continent to the other, and who see those visions now threatened with destruction. There is no stronger or more legitimate instinct than that instinct of nature which revolts against disruption; and it is easy to understand the feelings which have governed the people of the North, not only in entering into this war, but even in pushing it on after it seems to us to have passed all bounds of reason and of hope, however much there may be in their measures and language which appears difficult to reconcile with the high intelligence that usually characterizes them. I may venture also to say for my own guidance, because here I differ from the hon. and learned Member for Sheffield, that I think we ought to be cautious as to giving what are termed British interests a prominent place in our arguments on this question. I never have agreed with those who thought it was a matter of high British interest that the old American Union should be torn in pieces. Nor do I agree with the hon. and learned Member for Sheffield when he says that the American Union had become so vast and so menacing to the world, that we were in danger of dwindling beside it, or of experiencing a defect of power to maintain our rights. I do not think that territorial extension necessarily adds to the vigour of a State. I do not admit that either England or France, or any other country of Europe, had lost, or was relatively losing, strength in comparison with the United States of America, or was less able than before to assert every just claim and every legitimate interest in the face of the great Republic. I have always been of opinion, that involved as England is, not so much as a matter of mere interest, but on considerations of duty and honour, with respect to the British North American Colonies, the balanced state of the old American Union, which caused the whole of American politics to turn upon the relative strength of the slavery and Northern interests, was more favourable to us, more likely to insure the continuance of peaceful relations in America, as well as the avoidance of all political complications arising from the connection between this country and its Colonies, than the state of things which would exist if the old American Union were to be divided into a cluster of Northern, and a cluster of Southern States. The cluster of Northern States, having lost all connection with the slavery interests that were formerly adverse to extension northwards, would have, of course, every motive—I do not say by violent or illegitimate measures—to endeavour to re-establish their territorial grandeur by uniting themselves with the British Colonies of North America. But, whether that be a sound opinion or not, I cannot help stating, with some confidence, that if we strongly put forward the consideration of British interests in this matter—if we found an argument for recognition of the South, on the plea that British interests require the separation, and that British greatness was threatened by the former condition of the American Union—by that very fact you stamp upon your argument for recognition, upon every expression even of a wish for peace, a certain character of hostility to our brethren in the Northern States. I am sure the hon. and learned Member for Sheffield will feel I am warranted in alluding to this subject in a pointed manner, after he has declared in emphatic terms, in connection with his Motion for recognition, that he is determined to do all he can on the ground of British interests, to prevent the reconstruction of the American Union. With respect to the Motion of the hon. and learned Member, the first objection which I shall feel it my duty to take to it I must take also to the Amendment moved by the noble Lord; for either the Motion or the Amendment would involve the assumption by the House of Commons of that which it is perfectly entitled to assume, if it thinks fit, in point of right, but which it has not yet thought it expedient to assume, and which I do not think it should assume—namely, the function of determining by a positive declaration, the course which should be pursued by the executive Government, when it is the executive Government alone, and not the House of Commons, that can have close and minute cognizance of every circumstance from day to day bearing upon the progress of the American contest, and the position of England in regard to it; and when, therefore, prudence dictates that the House should continue to leave in the hands of the executive Government that discretion which it has heretofore exercised to the satisfaction of the country. There is no merit to be claimed by the executive Government for that which it has done, or omitted to do; but this I may say, that setting apart all reference to this or that question of international or maritime law, which may have arisen in the course of the last two years, and looking to the general policy which has been pursued—a policy not of indifference, not of unobservance, not of blindness, but of faithful and strict neutrality up to the present moment—there can be no doubt it has been the only policy which would have answered to the convictions and desires of the country. I therefore hope the House will not be disposed to entertain either a Motion or an Amendment which would have the effect of determining beforehand, by rules laid down in set phrases, from which there would be no power to depart, either one way or another, whatever the variations of circumstances, the course which the Government is to be bound to pursue; but will rather leave the Government to act in the spirit in which it has hitherto acted, and with that regard which it has hitherto endeavoured to show to the claims both of justice and of policy. But if there be one moment more inconvenient than another for the Motion of the hon. and learned Member for Sheffield, I think the hon. and learned Gentleman will himself confess that this is that moment. The Motion of the hon. and learned Member for Sheffield is peculiarly inconvenient at the present moment. I do not say that the main result of this contest is, humanly speaking, in any degree doubtful; but certainly there has not been a single epoch during the whole period of the war, which has now been raging for more than two years, at which there were pending military issues of such vast moment, both in the east and the west—issues so important with reference to the future position and interests of either or both belligerents. But if the Motion is exceptionable upon principle, and if the particular moment at which it is made is in some respects unfortunate—and I admit, that in regard to time the fault is not entirely his, because he is placed between the necessities of the ballot-glass, which stands upon our table, and the arrival from day to day of the packets from America—yet there is another matter upon which he must be held responsible, and that is for the speech with which his Motion was accompanied. My hon. and learned Friend began with pathetic complaints of the obloquy to which he knew he was about to expose himself. He came in almost a lamb-like spirit to offer himself as the willing recipient of all the violent vituperation which he saw he was about to bring upon his head. At the same time, I own I rather pity those who undertake in a contest of that nature to compete with my hon. and learned Friend. But, Sir, these are small matters. In this land of free speech, and on this floor of free discussion, we perfectly understand each other in regard to the occasional interchange of mere hard words. But the speech of my hon. and learned Friend had an importance far beyond the epithets which he may have launched against this or that man, or which may be launched against him in return. He cannot disguise—he will not disguise—he is much too candid, sincere, upright, and manly to disguise—that the whole of that speech from beginning to end was couched in the spirit of the strongest partisanship for the South—in a spirit, I may almost say, of passionate partisanship for the South. Nay more; in the first place, a speech made for recognition in the spirit of determined partisanship at once bears upon the character of the very measure which it recommends. It is not a very easy matter to separate between recognition and intervention; but if it were an easy matter to separate between them, then if at the very fountain head from which the proposal proceeds the proposal itself is associated throughout his whole argument with undisguised hostility to one of the parties, what chance or hope is there for recommending that recognition should take place, and at the same time that the appearance, much less the reality, of true neutrality should be maintained? But it was not even to this that my hon. and learned Friend limited himself. He went a step further. He argued upon our duty to the men of Lancashire. What was the meaning of that portion of his speech? Recognition does not relieve the men of Lancashire. Recognition does not bring one single bale of cotton to Lancashire. "But," said my hon. and learned Friend, "we have heretofore been in the condition in which the workmen have been patient, because they have known that the Government were not to blame; but we have now reached the point at which they will know that it is the Government, and the Government alone, which prevents the restoration of the raw material on which their industry depends." Now, I am the last person who would accuse my hon. and learned Friend, of all the men in this House, of using words without meaning. That is a charge which I must say can never fairly be brought against him. Moreover, he deserves this praise—that his meaning for the most part is unusually clear. Well, these words are as clear as any words which ever fell from him; and their meaning is that we are not to stop at recognition, but are to follow it up with those other measures which alone will satisfy that which he thinks is the necessity of the case, and what is the clear necessity of his argument—namely, that upon the adoption of his Motion was to follow the restoration of an abundant supply of the raw material of our cotton manufacture for the industry of Lancashire. Such being the speech of my hon. and learned Friend, and such being his Motion, I confess that I should find in either the one or the other ample reason for objecting to its adoption by the House. But Her Majesty's Government I do not think have ever professed to feel indifferent on this question. It is impossible for any one with the feelings of a man within him to be indifferent upon it. Moreover, I believe that a very general union of sentiment and opinion exists in this country—not upon every matter relating to the present war, but upon this great question—whether we wish that this war should continue or should cease. My belief is that at least nineteen out of every twenty men in this House, perhaps I might say ninety-nine out of every hundred—I do not know, indeed, that there is a single exception—earnestly and fervently desire that it should terminate. Why, Sir, was there ever a war of a more destructive and more deplorable—I will venture to add, of a more hopeless—character? Measure it by the enormous absorption of human life, which counts not by thousands, nor by tens of thousands, but by hundreds of thousands. Was there ever a more deplorable absorption of human treasure, which has brought debts upon countries which heretofore were happily in practice free from them, such as not only threaten to depress permanently, or for a long course of years, the condition of the population, but even perhaps to involve the greatest political difficulties throughout the whole of what was once the flourishing and happy American Union? Well, if these are common to both parties, is it possible that we as Englishmen should regard otherwise than with deep pain the special consequences entailed by this war upon each party severally? Look at the embittering and exasperations of the relations between the black man and the white man in the South. Look again at the suspension of constitutional liberty in the North—the utter confusion of all the landmarks that separate between right and power—the danger into which the very principle of freedom has been brought in that which used to boast itself the freest, and which we, perhaps most of us, admit to have been at any rate one of the freest nations of the earth. Look at the discredit to liberty abroad — the discredit, not only to democratic, not only to popular, but I venture to say to all liberal and constitutional principles—which has been caused in the eyes of the rest of the world by the contemplation of the transactions of the last two or three years, and especially of the last twelve months, in North America. I trust there are few of us here who have ever suffered narrow unworthy jealousies of the American Union to possess our minds. But I believe, if there be such a man—if there be those who have taken illiberal or extreme views of what was defective in the American character, or in American institutions, who closed their eyes against all that was great and good and full of promise to mankind in that country—surely all alike must now feel sentiments of compassion and concern absorbing every other sentiment. And the regret and sorrow which we feel at the calamities brought to our own doors by this miserable contest are almost swallowed up when we consider the fearful price—more fearful, I believe, than in the history of the world was ever paid, I do not mean in money, by a nation in a state of civil war—a price not alone in the loss of life, not alone in the loss of treasure, but in the desperate political extremities to which the free popular institutions of North America have been reduced. Why, Sir, we must desire the cessation of this war. No man is justified in wishing for the continuance of a war unless that war has a just, an adequate, and an attainable object. For no object is adequate, no object is just, unless it also be attainable. We do not believe that the restoration of the American Union by force is attainable. I believe that the public opinion of this country is unanimous upon that subject. ["No!"] Well, almost unanimous. I may be right or I may be wrong—I do not pretend to interpret exactly the public opinion of the country. I express in regard to it only my private sentiments. But I will go one step further, and say I believe the public opinion of this country bears very strongly on another matter upon which we have heard much—namely, whether the emancipation of the negro race is an object that can be legitimately pursued by means of coercion and bloodshed. I do not believe that a more fatal error was ever committed than when men—of high intelligence I grant, and of the sincerity of whose philanthropy I, for one, shall not venture to whisper the smallest doubt—came to the conclusion that the emancipation of the negro race was to be sought, although they could only travel to it by a sea of blood. I do not think there is any real or serious ground for doubt as to the issue of this contest. I admit that we ought to desire —I believe that the bulk of Englishmen do desire—that it should come to a close. But does the hon. and learned Gentleman think it therefore follows that we ought to adopt his Motion? Or does he think that the recognition which he proposes would bring the contest nearer to a close? [Mr. ROEBUCK: Hear, hear!] No doubt my hon. and learned Friend thinks it would terminate it, or he would not have made this Motion; but I must venture to join issue with him on that point. What is that recognition to be? Is it to be a recognition with intervention or without intervention? Now, it is quite true that in argument recognition and intervention are perfectly separate. I cannot agree with the noble Lord (Lord Robert Montagu) who said that the war between France and England which broke out in 1778 was due to the recognition of the American Colonies by France. I think I know the source from which the noble Lord has quoted that statement; but if he will go back to the original documents, he will find that it is not accurate. [Lord ROBERT MONTAGU: *The Annual Register.*] Then that *Annual Register* contains the documents themselves; and if the noble Lord has gone back to that, I confess I am still more surprised at his statement. This is a point of much importance, because it is a statement which one sees constantly made that France recognised the United States, and that upon the fact of that recognition England went to war with her. That is totally incorrect. The Message from the King to Parliament was delivered on the 17th of March 1778, in these terms—

> "His Majesty having been informed, by order of the French King, that a treaty of amity and commerce has been signed between the Court of France and certain persons employed by His Majesty's revolted subjects in North America, has judged it necessary to direct that a copy of the declaration delivered by the French Ambassador to Lord Viscount Weymouth be laid before the House of Commons; and at the same time to acquaint them that His Majesty has thought proper, in consequence of this offensive communication on the part of the Court of France, to send orders to his ambassador to withdraw from that Court."

Therefore, the Message of the Crown immediately points to the declaration delivered by the French Ambassador to the Secretary of State. What were the contents of that declaration? The first paragraph recites that the "independence" of the Colonies had been virtually established, and announces the treaty of commerce. The second points out "the good understanding" between France and Great Britain, and states that there is no exclusive privilege. The third confides that His Britannic Majesty will particularly take effectual measures to prevent the commerce between His Majesty's (that is France's) subjects and the United States from being interrupted. In the fourth paragraph it declares that very treaty which the noble Lord states had been kept secret for a long time. It thinks it superfluous to state that the King of France, to protect effectually the lawful commerce of his subjects, and to maintain the dignity of his flag, has taken effectual measures in concert with the United States of North America. Not only so; but of all the documents of the period, so far as I have been able to examine them, there is not one which refers to the simple act of recognition as the cause of war. The very answer to the message—the Address presented by the House of Lords in answer to the message—fixes the construction in the strictest manner to that which I have stated. We always find the complaint against France was, not her acknowledgment of independence, but the avowed support she had given, and the formal engagements, offensive and defensive, into which she had entered. It is much better that we should have the exact truth before us on this subject; but then I must say it is very difficult, as far as I know, to find cases where there has been recognition pending the contest, and where that recognition has not been followed by war. In the case of the Spanish colonies, we can hardly say, consistently with truth, that the recognition took place pending the contest. The contest I think, must be allowed to have been virtually at an end. In the case of America, however, as the recognition was made pending the contest, it was followed by war. In the case of Greece there was recognition pending the contest, and there was war when the battle of Navarino took place. In the case of Belgium, likewise, it was not found practicable to separate mere recognition from the use of force. I admit to the hon. and learned Gentleman that there is no reason in the world why in abstract argument we should not separate between recognition and intervention —I do not say they are inseparably united—but this I do say, that when we find that in each particular case of recognition pending a contest that has heretofore taken place the use of force has commonly accompanied recognition, a just suspicion arises in the mind, that whether it be intended, or not intended, some relation of cause and effect substantially obtains between the two things, and that, consequently, the greatest caution and circumspection must be used in order to secure that while you mean the one you do not find yourself plunged into the other. I must confess there are the strongest reasons why England at any rate should in this matter abstain from taking the prominent part recommended by the hon. and learned Member. The very fact of our enormous interests in the American Continent, make us, as it were, a party in the struggle, and that very circumstance would deprive us of that character of impartiality by which alone intervention could be rendered useful. The hon. and learned Gentleman, indeed, recommended concert on our part with the other nations of Europe, but in his speech that was reduced to the case of France. But what is the position of France on the American Continent? I grant the position of France for a long period in regard to the United States was an admirable one for delivering a judgment and administering a lesson, for so it must be, of moral weight in the general interest of humanity, because France had taken a practical share in the original establishment of American independence, and never at any period was seriously implicated in controversy with the United States. But how does she stand now? France, by her expedition to Mexico and the greatness of her military engagements there, is even more decidedly and distinctly a party on the American continent than is England. I may be too sanguine—I do not speak with authority—but though America is from tradition, usage, and perhaps from national character, accustomed to assert her independence of Europe, both as to material, force, and opinion, I do believe that the impartial and well-ascertained spirit of Europe would have the greatest weight in America; but I must say this, I feel that England and France, circumstanced as they are, even if united in the act of recognition, would not be able to stand up in the face of the world and say, we claim to represent the impartial opinion of Europe. I know of no benefit or advantage that would attach to any intervention, arbitration, recognition, or interference of any sort, unless it was entirely free from all suspicion of partial or separate interest, or peculiar views. If you had such a declaration of opinion, that matured form of opinion in the States of Europe generally, representing the civilized world in a matter of this kind, I believe it would weigh very greatly with the minds of the citizens of America. But an act of recognition proceeding from England, an act of recognition proceeding from any State which, either from tradition or other circumstances of that kind, is placed in critical relations with America in matters pertaining to its own interests, not only might have, but probably would have, a result precisely opposite to that anticipated by the hon. and learned Gentleman. It would assume the character of an interference in the, so to speak, private, at any rate particular affairs of the American nation. It would go far to create a strong patriotic re-action among the citizens of the North; it might go far to give to the cause of the North that defensive energy which hitherto has been the great secret of the strength of the South, and the want of which has been the great cause of the Northern inferiority; because I think we must all feel that the descendants of Englishmen in America, whatever errors they may or may not have committed in the course of this unhappy war, have amply proved their possession of signal and splendid courage. There is no reason why either party should be ashamed on that score; and I think that the hon. and learned Gentleman would do well to consider how far intervention or recognition, more or less looking in that direction, might stop that growth of opinion, which I, with him, should regard as sound and healthy, which is opposed to the continuance of this war, and which has of late, for the first time, taken a definite form in assemblages of great masses of the people. The responsibility of proceeding to such an act as that would be a very heavy responsibility. We must look on with some sense of the immense difficulty attending any steps in a matter of this kind, and we must feel—at least, I am sure the great mass of this House must feel—that as long as doubt exists, that doubt ought to be ruled on the side of safety. We feel, I think, with the hon. and learned Gentleman that it is time this war should end. But I confess I have more faith in the gentle action of that public opinion as it grows and is gradually matured in Europe, than I have in diplomatic acts which may tend to assume an appearance of undue inference in American affairs, and especially those diplomatic acts which come from quarters which may justly be suspected of interested motives. It is not, therefore, from indifference—it is not from any belief that this war is waged for any adequate or worthy object on the part of the North—that I would venture to deprecate in the strongest terms the adoption of the Motion of the hon. and learned Gentleman. If ever there was an occasion, there is an occasion now in North America when the warmest patriots of that country may step forward and say—

> "Sat funera fusi
> Vidimus, ingentes ac desolavimus agros."

But do not let us run the risk of making worse that which is already sufficiently horrible, and adding to the deadly feud which now exists other feuds and other quarrels which will carry still wider desolation over the face of the earth.

Mr. W. E. FORSTER said, he should support the Amendment of the noble Lord (Lord R. Montagu) not for the purpose of fettering the Government, but rather of supporting them in that policy of neutrality they had hitherto pursued, and because the Motion of the hon. and learned Member for Sheffield involved so great a departure from that policy, as to require some distinct protest against it. He was glad that the question was at last before the House, and that the time had come for speaking their minds upon it. It was pretty clear that recognition of a seceding State while the question whether the secession would be successful or not was unsettled, was premature, and being premature it was a breach of neutrality, because it anticipated the defeat of one side, and gave the prize of admission to the community of nations to the other. While that was the principle of international law, the custom had been not to resort to intervention or recognition, unless the recognising Power was prepared to enforce its views by arms. The recognition of the South would be a *casus belli* if the North chose to make use of it; and it was mere idle talk and empty boasting if we were not prepared to enforce it. The Motion of the hon. and learned Gentleman meant war, or it meant nothing. He believed, from the language which he had held, that the hon. and learned Gentleman was utterly reckless whether it would have that effect or not. But, whether he meant war or not, did the country mean war? No doubt there was some sympathy felt for the South in various quarters, and he would allow the Southerners had shown a courage which deserved sympathy; but he did not believe that the sympathies of any class of the people in this country went so far as to submit to an additional income tax for the purpose of defending Canada. The constituents of the hon. Member for Liverpool (Mr. Horsfall), who seemed to have some sympathy with the South, would hardly like to see the seas covered with Northern *Alabamas* preying on their commerce notwithstanding the boast of the hon. and learned Member for Sheffield that one *Warrior* would sweep them all away. He was quite sure that the hon. Member for Dungarvan (Mr. Maguire) did not mean war. He believed his Amendment was proposed with a motive and view to peace; and, in truth, unless the harvest were better than it promised, the sufferings of the countrymen of the hon. Member would be great indeed if they were deprived of the American corn crop of this year. He would never allow commercial considerations to prevent him engaging in a just war, but when they were asked by the hon. and learned Member for Sheffield to go to war for merely selfish purposes—to procure cotton—it was allowable to ask, "What would be the cost of that war in corn?" There were Gentlemen, however, who believed that if we interfered, though we might go to the verge of war, we should not really have war; and their grounds for believing this was European concert, and the influence of the American peace party. European concert, in fact, meant the concert of France. The hon. and learned Gentleman, and the hon. Member for Sunderland in the joint capacity of patriots and courtiers, told them that they had seen "the great French ruler," and that he had charged them with a message with which Her Majesty's Government were entirely unacquainted. The Under Secretary for Foreign Affairs said he knew nothing about it, and he understood that in another place Lord Russell had stated to-night that the French Ambassador had thought it necessary to call upon him to say that the hon. and learned Gentleman opposite was quite mistaken, and that there was no foundation for the rumour. [Mr. LAYARD: It was this very afternoon.] It might be said, of course, that "the great French ruler" had changed his mind—he would leave the two hon. Gentlemen, the French Ambassador, and "the great French ruler," to settle that matter among themselves—or it might be that he deemed it advisable to have two Ambassadors in this country—Baron Gros to communicate with the Government, and the hon. and learned Member for Sheffield to communicate with the House of Commons. It might be possible that he had requested the hon. and learned Gentleman to sound the British House of Commons, and to find out whether they would follow his lead in this matter. For his part, he had had enough of following that lead. Alliance with France for the purposes of intervention was apt to lead to war. That was our experience in the Crimean and the Chinese wars. We were heartily glad to get out of the Mexican intervention; and there were few who did not look with some feeling of suspicion on the joint action with France in the matter of Poland. If we wished to "drift into war," by all means let the hon. and learned Gentleman be allowed to put the good English ship under a foreign pilot. To come next to the American peace party. The Chancellor of the Exchequer told the House that any attempt at intervention might weaken the American peace party. That undoubtedly was the case; and it might easily be shown that every symptom of a readiness to intervene had weakened whatever there was of a peace party in the North. Lord Lyons, in a despatch of November 17, gave a very curious account of an interview he had had with the leaders of the American peace party on the question of intervention, and from his account it appeared that the thing they dreaded most was foreign intervention, the very idea of which was enough to destroy their hopes; and, indeed, the publication by the Foreign Office of this despatch, showing that the Peace Democrats were in communication with Lord Lyons, had been to turn the tide against them at a critical moment, and to decide the Connecticut election in favour of the war party. No doubt, it was mainly on the strength of that despatch that the British Government declined to take part in the offer of mediation, which was afterwards undertaken by France alone. The French Government conveyed their offer in a most delicate manner; but it produced such a reaction in America that the Government were able to pass their Conscription Bill, which even the war party had not expected, and the failure of which might have brought the war to a close for want of men. That Bill was just now coming into operation, and it might depend not a little on the course taken by the House of Commons on this Motion whether President Lincoln would have power to enforce it against the wishes of many in the North. It might seem strange that the American people should pay so much attention to what was said at a distance; but had there not been periods in our history when this country was divided into two great parties, and when it would have given infinite strength to one party to be able to show that their adversaries were receiving assistance from abroad? If they carried out this Resolution, it must be by force; and as a compulsory Resolution he was sure the House was not prepared to carry it out. It might be said that the people of the Northern States would not go to war with us for adopting the course which the hon. and learned Member for Sheffield proposed; but though they had been called an upstart and insolent race, they were our own children. They were descended from a race that had never allowed themselves to be borne down. Therefore, dangerous as it might be—suicidal as it might be—for them, we could not say that they would not go to war with us if we carried out this Resolution, which, according to the principles of international law, would be a sufficient justification for their adopting that course. ["No, no!"] A war with the United States would be dangerous to us on several grounds. It would be dangerous to our commerce, and it would be dangerous to Canada; but it ought to be unpopular on far higher grounds, because it would be a war against our own kinsmen for slavery. He felt strongly in reference to slavery, for he was one that had been brought up in that "hypocritical cant" of a hatred to slavery from his childhood. The hon. and learned Member for Sheffield said, that the hostilities between the Northern States of America and the Southern had been caused by a question of tariff; but that was an allegation which had been got up solely for consumption in this country, and it ought to have been consumed long ago. In the first place, there had never been a Protective measure passed in either House of Congress without the assistance of the Southern members; and, in the second place, there was no State so completely a Protection State as Louisiana, the backbone of the Southern Confederation. How was the line drawn between the two sets of States? Exactly by slavery. The Southern States were secession States exactly in proportion as they were slave States. If the struggle were one between a free tariff, and a protection tariff, where would the line be drawn? Were not the North Western States just as much injured by a Protection policy as the Southern? And yet no part of the Union was more detetermined to fight for the Union. He was not one of those who justified the Northerners in their action about slavery; but they found that when the people of the Northern States were called upon to choose between love of country and love of slavery, they gave up the latter. They had a patriotic feeling about their own Union, and they were becoming every day more alive to the fact that they could not uphold that Union and preserve slavery. For that reason—he did not say from an anti-slavery feeling, though a great number of the people of the North entertained such a feeling—they were giving up slavery. The right hon. Gentleman the Chancellor of the Exchequer stated on another occasion that he thought the best way to destroy slavery in the Southern States was to give the people of those States power; but in its impression of the 28th of May the *Richmond Examiner*, one of the leading organs of the South, stated, that instead of "Liberty, Equality, and Fraternity," the Confederates were for "Slavery, Subordination, and Government;" and that there was "a slave race born to serve, and a master race born to govern—such are the principles we have received from ancient history." It was trifling with English feeling to say that men who had gone to war with such an object as was avowed in the *Richmond Examiner* would not do their best to carry that object out. The Government of this country were now called on to do something, which, if it meant anything, meant intervention. ["No!" "Hear!"] He felt great anxiety for the success of the siege of Vicksburg, for he believed two things depended on it — peace and freedom. He could not help thinking that if Vicksburg were taken, and the other side of the Mississippi cut off from the slave territory, we should see an end of the war. He thought the men of the North would then feel that they had gained their great object —namely, the prevention of the formation of a powerful Slave Confederation. He thought it by no means improbable, that if Vicksburg were taken, the Northerners would say, "We have prevented you from carrying out by yourselves that extension of slavery which you could not carry out through the Union, and now we shall leave you to yourselves to settle this slavery question as you can." Was this country prepared to enter upon intervention, which from its nature must be serious, in order to prevent the Northerners being able to take this ground, and in order to secure this end — slavery on the other side of the Mississippi, and therefore its indefinite extension? With the knowledge that interference of any kind must embitter the conflict now raging, would this country intervene and extend the circle of the horrors of war—it might be at the risk of involving ourselves in its miseries? Those who thought with him had often been taunted with their dread of war. Those who taunted them taunted them truly. He did fear such a war as this would prove. Not because of the sufferings it would entail upon England, though he believed these were underrated. He had such confidence in the endurance, energy, and patriotism of his fellow-countrymen — using the word in its old Roman and Greek sense — that having once gone to war they would fight for their country independent of the question of right—that he had little fear of their constancy in any struggle. But what would England gain by such a war? The great Anglo-Saxon race would be torn, not merely by a double but triple civil war, and every despot, civil and religious, throughout the world would rejoice to see them destroying each other. Were there any "degenerate Englishmen" who could look with joy on such a prospect? He would be a bold man who ventured to prophesy how the present struggle would terminate; it was not a mere war, but a tremendous social revolution; but we could pray that out of the war might come a purification from the evil of slavery, without which there could be no peace. They could, however, perceive the alternatives which presented themselves if this country interfered. Either the Union would be torn into many conflicting elements, doomed by the hand of their enemies to centuries of anarchy and intestine conflict, or the effect might be to unite the North once more by the strong common bond of hatred against this country. The South, meanwhile, might come out a triumphant Slave Confederacy—"our natural allies," as the noble Lord opposite (Lord Robert Cecil) called them. They might be the natural allies of the noble Lord and of the order to which he belonged, but they never could be the natural allies of Englishmen, for all our instructive traditions of freedom were opposed to such alliance. He prayed that England might be saved from such an unjust, barbarous, and un-Christian war, waged, as it would be, against the spirit of civilization, and against every principle of religion and morality. The Ruler who guided the destinies of the world took care that crimes committed by nations, however powerful, should not go unpunished; and England could not expect to escape punishment if she entered upon so unprovoked, so selfish, and so unjust a conflict.

Lord ROBERT CECIL said, he did not often agree with the hon. Member for Birmingham (Mr. Bright), but for once he enjoyed that privilege, in the phrase in which he had described the hon. Member who had just sat down as a fanatic about slavery. He was a fanatic in the true sense of the word—such a fanatic that for the sake of the object towards which his fanaticism was directed he consented to sacrifice the very means of attaining that object. He (Lord R. Cecil) had never been able to understand the true reasoning or conduct of the anti-slavery party in this country. All Englishmen agreed that slavery was a dreadful thing, and that few human desires should be entertained more earnestly than the desire for its extinction; but the anti-slavery party, in their eagerness for that result, seemed to have forgotten all the teachings of history. The hon. Member who had just sat down did not profess to hope for the termination of slavery through the complete conquest of the South by the North; but the hon. Member for Birmingham, who sat behind him, no doubt looked for its extermination in that manner. But what did the idea involve? One anti-slavery agitator, representing the feelings of his class, declared that he looked with confidence to the driving of 300,000 slave-owners, with their wives and families, either into exile or to death, as a step towards the abolition of slavery. Of course, slavery might be abolished by that means; but he ventured to say, in the words of the aspiration with which the hon. Member for Bradford concluded his speech, that a crime so hideous must call down on the nation which perpetrated it a punishment more severe than had fallen on any nation since the world began. He would ask the hon. Member to look to history to see how slavery had been exterminated in past times; for it was not a new evil; almost every people occupying a new soil had that blot upon their institutions. In almost every case it had been gradually rooted out; from every civilized nation, except the States of America, it had disappeared, but never in consequence of the pressure of armed force. It was eradicated in every instance by the influence of public opinion; and that was the only way in which it would be eradicated from the Southern States. How could they hope to bring the influence of opinion to bear on the Southern States if they made them permanently the enemies of this country? The policy the hon. Member advocated of making England the partisan of the North, enlisting its aid to reduce the white man to slavery in order that the negro might be benefited, would cause slavery to remain to the end of time a point of honour with the South. The influence of England for the gradual abolition of that institution would be entirely frustrated. In fact, there could be no more suicidal policy for the real friends of the slave than to write it down in the history of the South that the greatest miseries which their fathers underwent were inflicted upon them by the North with the assistance of England in the endeavour to eradicate slave institutions. The Southerners would look upon it as binding on them never to relinquish the principles for which their fathers had fought. He entirely repelled the insinuation that it was as slaveholders that the people of the Southern States were the natural allies of England. They were, however, the natural allies of this country, as great producers of the articles we needed, and great consumers of the articles we supplied. The North, on the other hand, kept an opposition shop in the same departments of trade as ourselves. But he wished now to say a word as to the speech of the Chancellor of the Exchequer, which was remarkable because it was the first definite declaration of policy which the Government had made on the subject, and because it did not come from their distinguished chief. But what were the reasons given by the right hon. Gentleman why the Government should not assent to the recognition of the South? He never heard a speech which so remarkably supported all the positions it was intended to attack. The right hon. Gentleman conceded everything—that slavery was not to be suppressed by the continuance of the war, that the hope of conquering the South was absolutely vain and futile, and therefore practically that this war on the part of the North was a gigantic crime. The right hon. Gentleman conceded even this—that in theory recognition in no way involved anything like intervention; thereby admitting that if we recognised the South, the North would have no just cause of war with us on that account. But what were the right hon. Gentleman's arguments for not assenting to the Motion? First and foremost, that he objected to the speech of his hon. and learned Friend (Mr. Roebuck). The hon. and learned Member for Sheffield proposed that a negotiation should be entered into in order to promote the recognition of the South; and the Minister of the Crown, when declaring that he would not advise his Sovereign to pursue that policy, said his reason was that there were marks of hostility to a particular party in the speech of the hon. and learned Gentleman. Was it ever before laid down that the advice which a Minister was to give to his Sovereign at a critical moment, and with respect to a course which might decide the destiny of nations for generations to come, was to depend upon this—whether an hon. Gentleman, however distinguished, betrayed partiality to one side or the other? He could hardly believe the right hon. Gentleman was in earnest. But what was the next argument? It was that France and England did not stand in an impartial position for giving advice, because they possessed territory on the North American continent. But how far was that argument to go? Would the right hon. Gentleman say that no mediation or recognition was to take place because the State that wished to mediate between other States happened to possess territory upon the same continent? He (Lord Robert Cecil) did not imagine that our possession of Canada influenced our judgment one way or the other. It could make no difference to us in regard to our American possessions, whether or not the two contending parties should continue an internecine war. But then the right hon. Gentleman insisted that although recognition did not in theory involve intervention, yet intervention had almost always historically followed from it, and would follow from it in this instance. But was that the fact? Did we not recognise the South American republics at a time when the troops of Spain were still—[Lord ROBERT MONTAGU: No, no!] His noble Friend behind him, by anticipation, denied the statement he was about to make, which was this, that at the time we recognised the South American republics the troops of Spain had not yet left their territories. If his noble Friend would consult his dates, he would find that the important fortress of San Juan d'Ulloa was held by Spanish troops till the 17th of November 1825. Our recognition of Mexico took place in January of that year. But the case was still stronger with respect to the proceedings of the Americans themselves. They recognised these republics before England had done so. They recognised Columbia in the course of 1822, though Porto Cabello was not evacuated by the Spanish troops till the 8th of November 1823; and they recognised Mexico in 1823, although San Juan d'Ulloa was not evacuated until 1825. Therefore, upon their own grounds, it was perfectly legitimate, without intervention and without war, to recognise a State which was practically independent, although some of the enemy's troops might still be found on her soil. But that recognition did not pass without remonstrance. That remonstrance came from the Spanish Minister—it read like a remonstrance from Mr. Seward at the present time, and was so curious that he should like to read it to the House. The Spanish Ambassador wrote as follows:—

> "In the *National Intelligencer* of this day I have seen the message of the President, in which he proposes the recognition by the United States of the insurgent Governments of Spanish America. How great my surprise was may easily be judged by any one acquainted with the conduct of Spain towards this republic, and who knows the immense sacrifices she has made to preserve her friendship. In fact, who could think that, in return for as great proof of friendship as one nation can give to another, the Executive would propose that the insurrection of the ultramarine possessions of Spain should be countenanced? And, moreover, will not his astonishment be augmented to see that this Power is desirous to give the destructive example of sanctioning the rebellion of provinces which have received no offence from the mother country, to whom she has granted a participation of a free constitution, and to whom she has extended all the rights and prerogatives of Spanish citizens? In vain will a parallel be attempted to be drawn between the emancipation of this republic and that which the Spanish rebels attempt."

And then there was the notion of a party in Spanish America favourable to the mother country, just as there was a notion of a party favourable to the North among the Southern States —

> "Where are those Governments that ought to be recognised? Where are the pledges of the stability? Where the proofs that those provinces will not return to a union with Spain, when so many of their inhabitants desire it? And, in fine, where the right of the United States to sanction and declare legitimate a rebellion without cause, and the event of which is not even decided?"

It was quite clear, from these precedents in the history of the United States, that the American Government recognised the revolted South American colonies long before the mother country acquiesced in their independence, and that war was not the consequence. We did not want war—we wanted peace. Our people had suffered too much in consequence of the hostilities in America — they had starved too long already—they would be driven to still greater distress next winter if the war continued, and the resources of the country would be exhausted if this great strain were continued; and there were no hopes of a supply of cotton except from the Southern States of America. These were grounds which gave us a title to go to the American people, and tell them our opinion about this war. The value of recognition was this: it was a distinct statement on the part of two great nations that in their opinion the war was hopeless. It was a judgment by a tribunal to which he believed even the American people would give way. His hon. Friend the Member for Bradford (Mr. Forster) tried to prove that the efforts at mediation last year only made the war party stronger. But the state of affairs was very different then, and all the great preparations which had been made at that time had as yet failed. Charleston had been attacked, but with so little success that the attack had not been renewed. Virginia had been four times invaded, and now people were looking to the invasion of Pennsylvania. The siege of Vicksburg was drawing to a close not favourable to the North. In every direction there were grounds for great discouragement; and it was evident from the last news that the faith of the people was shaken, and that they were wavering in their views of the war. There was a democratic party who had nominated as Governor an avowed advocate for peace in one State, and the Provost Martial in another had been shot for attempting to enforce the conscription. At this particular crisis public opinion in America was wavering; and if they now received the judgment of two great countries, expressed in an official and solid form, that they were fighting for a cause which was hopeless, and that the independence of the South was definitively established, an enormous blow would be given to the war party in America. It was evident that the people in the North Western States had not very much information to go upon in relation to the war. The newspapers all wrote under the terror of a military dictator, and their news passed through a censorship. Thus small successes were magnified and failures were glossed over. But nothing would tend so greatly to make them distrust the promises of those contractors who were making fortunes by the war as the announcement that France and England — not merely Frenchmen and Englishmen, but the respective Governments — looking at the enormous interests with which they had to deal, had come to the conclusion that the war was hopeless, and that it was vain for the North to persist in it. There was one point on which the Minister of the Crown who had spoken did not touch. It was an extraordinary fact that the Chancellor of the Exchequer had not alluded to the remarkable statement which the House had heard respecting the policy of the Emperor of the French. But such disclosures as these could not be disposed of by silence. His hon. Friend (Mr. Forster) had talked of the Emperor of the French appointing a second Ambassador to the House of Commons. But the desire of his hon. and learned Friend (Mr. Roebuck) was not to be the Ambassador of France, but to refute the unjustifiable and baseless rumours which, for the defence of their own policy, the Government had circulated as to the views of the Emperor of the French. ["No, no!"] Then if they were not true, let the Under Secretary of State for Foreign Affairs give a formal contradiction to the statements of the hon. and learned Member for Sheffield. It had been distinctly stated that last year the Government received from the Emperor of the French an offer to mediate in the United States; that that offer was transmitted to Lord Lyons, who betrayed the secret—he, of course, imputed nothing like treason to Lord Lyons—to Mr. Seward; that Mr. Seward remonstrated with the Emperor of the French, and that the first definite reply which the Emperor received to his offer to mediate was the complaint which arrived from his Minister at Washington. To these statements an answer must be given. They all knew that the Emperor of the French was a prudent and sagacious Sovereign, and he would not have taken the strange and extraordinary course of communicating directly with the House of Commons unless he had been driven to it by the treatment which he had received from the Foreign Office. The absence of the noble Viscount made the course of the Government in giving any explanation very difficult, and it was easy to see how little able they were to give any definite outline of their policy in the absence of their great head. But this debate would not be complete and the public would not be satisfied unless all the statements of his hon. and learned Friend as to what he heard with his own ears from the Emperor of the French received a full explanation. They had been told of statements made that night in the Lords respecting statements in their House—

MR. W. E. FORSTER said, that the report, which was very current, had been contradicted in another place, the noble Earl the Secretary of State for Foreign Affairs having stated that Baron Gros had waited on him to tell him that the rumours were entirely without foundation.

LORD ROBERT CECIL: That important information might have been brought down to this House also by the Under Secretary for Foreign Affairs. The House had more than once had reason to complain of the position to which it was reduced by the system of putting all the Chief Secretaries into the other House, and all the Under Secretaries into this. The result was that almost every important explanation of foreign policy had been given in the other House of Parliament, and had been almost invariably refused here. At all events, he hoped the same information would be given of the recent negotiations between this country and France. The Emperor of the French had proposed a course by which the Southern ports might be opened, and the English Government now stood as the single obstacle to the recognition of the South, which would procure food for their starving operatives. They must make a much more complete defence of their position on this question than was afforded by the vague and loose theories dealt in by the Chancellor of the Exchequer. They must give some clear reasons why they refused to act upon the frank and open offers of the Emperor of the French; and they must justify themselves for following a policy which had already been productive of such tremendous misery to their own countrymen.

Mr. BRIGHT: I will not attempt to follow the noble Lord in the laboured attack which he has made upon the Treasury bench, for these two reasons:—that he did not appear to me very much to understand what it was he was charging them with; and again, I am not in the habit of defending Gentlemen who sit on that bench. I will address myself to the question before the House, which I think the House generally feels to be very important, although I am quite satisfied that it does not feel it to be a practical one. Neither do I think that the House will be disposed to take any course in support of the hon. Gentleman who introduced the Resolution now before us. We sometimes are engaged in these discussions, and have great difficulty to know what we are about, but the hon. Gentleman left us in no kind of doubt when he sat down. He proposed a Resolution, in words which, under certain circumstances and addressed to certain parties, might not end in offensive or injurious consequences. But, taken in connection with his character and with the speech he has made to-night, and with the speech he has recently made elsewhere on this subject, I may say that he would have come to about the same conclusion if he had proposed to address the Crown inviting the Queen to declare war against the United States of America. The Chancellor of the Exchequer, who is supposed not to be very zealous in the particular line of opinion that I have adopted, addressed the hon. Gentleman in the smoothest language possible, but still he was obliged to charge him with the tone of bitter hostility of his speech. On a recent occasion the hon. Member addressed some members of his constituency —I do not mean his last speech, I mean the speech addressed to them in August last year—in which he entered upon a course of prophecy which, like most prophecies in our day, does not happen to have come true. But he said then what he said to-night, that the American people and Government were overbearing. He did not tell them that the Government of the United States had, almost during the whole of his lifetime, been conducted by his friends of the South. He said, that if they were divided, they would not be able to bully the whole world; and he made use of these expressions—"The North will never be our friends; of the South you can make friends—they are Englishmen—they are not the scum and refuse of the world."

Mr. ROEBUCK: Allow me to correct that statement. What I said I now state to the House—that the men of the South were Englishmen, but that the army of the North were composed of the scum of Europe.

Mr. BRIGHT: I take, of course, that explanation of the hon. and learned Gentleman, with this explanation from me, that there is not, so far as I can find, any mention near that paragraph, and I think there is not in the speech a single word, about the army. [Mr. Roebuck: I assure you I said that.] Then I take it for granted that the hon. and learned Gentleman said that, or that if he said what I have read he greatly regrets it. [Mr. Roebuck: No, I did not say it.] The hon. and learned Gentleman in his Resolution speaks of other Powers. Well, he has unceremoniously got rid of all the Powers but France, and he comes here to-night with the story of an interview with a man whom he describes as the great ruler of France—tells us a conversation—asks us to accept the lead of the Emperor of the French on, I will undertake to say, one of the greatest questions that ever was submitted to the British Parliament. But it is not long since the hon. and learned Gentleman held very different language. I recollect in this House, only about two years ago, that the hon. and learned Gentleman said, "I hope I may be permitted to express in respectful terms my opinion, even though it should affect so great a potentate as the Emperor of the French. I have no faith in the Emperor of the French." On another occasion the hon. and learned Gentleman said—not, I believe in this House, "I am still of opinion that we have nothing but animosity and bad faith to look for from the French Emperor." And he went on to say, that still, though he had been laughed at, he adopted the patriotic character of "Tear-'em," and was still at his post. Well then, Sir, when the hon. and learned Gentleman came back, I think from his expedition to Cherbourg, does the House recollect the language he used on that occasion—language which, if it expressed the sentiments which he felt, at least I think he might have been content to have withheld. If I am not mistaken, referring to the salutation between the Emperor of the French and the Queen of these kingdoms, he said: "When I saw his perjured lips touch that hallowed cheek." And now, Sir, the hon. and learned Gentleman has been to Paris, introduced there by the hon. Member for Sunderland, and he has become as it were in the palace of the French Emperor a co-conspirator with him to drag this country into a policy which I maintain is as hostile to its interests as it would be degrading to its honour. But then the high contracting parties I suspect are not agreed—because I will say this in justice to the French Emperor, that there has never come from him in public, nor from any one of his ministers, nor is there anything to be found in what they have written, that is tinctured in the smallest degree with that bitter hostility which the hon. and learned Gentleman has constantly exhibited to the United States of America and their people. France, if not wise in this matter, is at least not unfriendly. The hon. and learned Member, in my opinion—indeed, I am sure—is not friendly, and I believe he is not wise. But now, on this subject, without speaking disrespectfully of that great potentate, who has taken the hon. and learned Gentleman into his confidence, I must say that the Emperor runs the risk of being far too much represented in this House. We have got two—I will not call them envoys extraordinary, but most extraordinary. And, if report speaks truly, even they are not all. The hon. Member for the King's County (Mr. Hennessy)—I do not see him in his place — came back the other day from Paris, and there were whispers about that he had seen the great ruler of France, and that he could tell everybody in the most confidential manner that the Emperor was ready to make a spring at Russia for the sake of delivering Poland, and that he only waited for a word from the Prime Minister of England. Well, I do not understand the policy of the Emperor if these new Ministers of his tell the truth. For, Sir, if one Gentleman says that he is about to make war with Russia, and another that he is about to make war with America, I am compelled to look at what he is already doing. I find that he is holding Rome against the opinion of all Italy. He is conquering Mexico by painful steps, every step marked by devastation and blood. He is warring, in some desultory manner, it may be, in China; and for ought I know he may be about to do it in Japan. Well, I say that if he is to engage at the same moment in dismembering the great Eastern Empire and the great Western Republic, he has more ambition than Louis XIV., more daring than the first of his name; and that if he ventures on these great transactions, his dynasty will fall and be buried in the ruins of his own ambition. But, Sir, I understand that we have not heard all the story from Paris; and further, it seems to me, not at all remarkable, seeing that the secret has been confided to two persons, that we have not heard it correctly. I saw the Member for Sunderland near me, and I noticed that his face underwent remarkable contortions during the speech of the hon. and learned Gentleman, and I felt perfectly satisfied that he did not agree with what his colleague was saying. I am told there is in existence a little memorandum which contains an account of what was said and done at that interview, and before the discussion closes we shall no doubt have that memorandum produced, and from it know how far these two Gentlemen are agreed. I now come to the proposition which the hon. and learned Gentleman has submitted to the House, and which he has already submitted to a meeting of his constituents at Sheffield. At that meeting, on the 27th of May, the hon. and learned Gentleman used these words: "What I have to consider is, what are the interests of England: what are for her interests I believe to be for the interests of the world." Now, leaving out of consideration the latter part of that statement, if the hon. and learned Gentleman will keep to the first part of it, then what we have now to consider in this question is, what is for the interest of England. But the hon. and learned Gentleman has put it in a way to-night almost as offensively as he did before at Sheffield, and has said that the United States would not bully the world if they were divided, and sub-divided—for he went so far as to contemplate division into more than two independent sections. Well, I say that the whole of his case rests upon a miserable jealousy of the United States, or on what I may term a base fear. It is a fear which appears to me just as groundless as any of those panics by which the hon. and learned Gentleman has helped to frighten the country. There never was a State in the world which was less capable of aggression with regard to Europe than the United States of America. I speak of its Government, of its confederation, of the peculiarities of its organization; for the House will agree with me that nothing is more peculiar than the fact of the great power which the separate States, both of the North and South, exercise upon the policy and course of the country. I will undertake to say that unless in a question of overwhelming magnitude which would be able to unite any people, it would be utterly hopeless to expect that all the States of the American Union would join together to support the central Government in any plan of aggression on England or any other country of Europe. Besides, nothing can be more certain than this, that the Government which is now in power, and the party which have elected Mr. Lincoln to office, is a moral and peaceable party, which has been above all things anxious to cultivate the best possible state of feeling with regard to England. The hon. and learned Gentleman, of all men, ought not to entertain this fear of United States aggression, for he is always boasting of his readiness to come into the field himself. I grant that it would be a great necessity indeed which would justify a conscription in calling out the hon. and learned Gentleman; but I say he ought to consider well before he spreads these alarms among the people. For the sake of this miserable jealousy, and that he may help to break up a friendly nation, he would depart from the usages of nations, and create an everlasting breach between the people of England and the people of the United States of America. He would do more—and notwithstanding what he has said to-night, I may put this as my strongest argument against his case—he would throw the weight of England into the scale in favour of the cause of slavery. With respect to the law of nations, I will not take up the time of the House after the careful argument of the noble Lord the Member for Huntingdon; but I will say that it is impossible for anybody to take up a pamphlet, published the other day by Mr. F. W. Gibbs, and read it, without admiring the style in which it was written, and being absolutely convinced with respect to this case—that is, if this be a case in which precedents have any effect whatever. I want to show the hon. and learned Gentleman that England is not interested in the course he proposes we should take—and when I speak of English interests, I mean the commercial interests, the political interests, and the moral interests of the country. And first with regard to the supply of cotton, in which the noble Lord the Member for Stamford takes such a prodigious interest. I must explain to the noble Lord that I know a little about cotton. I happen to have been engaged in that business—not all my life, for many of those who hear me have seen me here for twenty years—but my interests have been in it, and at this moment the firm of which I am a member have several mills which have been at a stand for nearly a year, owing to the absolute impossibility of working under the present condition of the supply of cotton. I live among a people who live by this trade, and there is no man in England who has a more direct interest in it than I have. Before the war the supply of cotton was deficient and costly, and every year it was becoming more costly, for the supply did not keep pace with the demand. The point that I am going to argue is this—I believe that the war that is now raging in America is more likely to abolish slavery than not, and more likely to abolish it than any other thing that can be proposed in the world. I regret very much that the pride and passion of men are such as to justify me in making such a statement. The supply of cotton under slavery must always be insecure. The House felt so in past years; for at my recommendation they appointed a Committee, and but for a foolish Minister they would have appointed a special Commission to India at my request, and I feel the deepest regret that they did not do so. Is there any Gentleman in this House who will not agree with me in this—that it would be far better for our great Lancashire industry that our supply of cotton should be grown by free labour rather than by slave labour? Before the war the whole number of negroes engaged in the production of cotton was about 1,000,000—that is, about one-fourth of the whole of the negroes in the slave States. The annual increase in the number of negroes growing cotton was about 25,000, only 2½ per cent. It was impossible for the Southern States to keep up their growth of sugar, rice, tobacco, and their ordinary slave productions, and at the same time to increase the growth of cotton more than at a rate corresponding with the annual increase of negroes. Therefore you will find that the quantity of cotton grown, taking ten years together, increased at the rate of little more than 100,000 bales a year. But that was nothing like the quantity which the world required. That supply could not be materially increased, because the South did not cultivate more than probably 1½ per cent of the land which was capable of cultivation for cotton. The great bulk of the land in the Southern States is uncultivated. 10,000 square miles are employed in the cultivation of cotton, but there are 600,000 square miles, or sixty times as much land, which is capable of being cultivated for cotton. It was, however, impossible that that land should be so cultivated, because, although you had climate and sun, you had not labour. The institution of slavery forbade free-labour men in the North to come to the South, and every emigrant that landed in New York from Europe knew that the slave States were no States for him, and therefore he went north or west. The laws of the United States, the sentiments of Europe and of the world, being against any opening of the slave trade, the planters of the South were shut up, and the annual increase in the supply of cotton could advance only in the same proportion as the annual increase in the number of their negroes. There is one other point with regard to that matter which is worth mentioning. The hon. and learned Gentleman the Member for Sheffield will understand it, although on some points he seems to be peculiarly dark. If a planter in the Southern States wanted to grow 1,000 bales of cotton a year he would require about 200 negroes. Taking them at 500 dollars, or £100 each, which is not more than half the price of a first-class hand, the cost of the 200 would be £20,000. To grow 1,000 bales of cotton a year, you require not only to get hold of an estate, machinery, tools, and other things necessary to carry on the cotton-growing business, but you must find a capital of £20,000 to buy the actual labourers, by whom the plantation is to be worked; and therefore, as every Gentleman will see at once, this great trade, to a large extent, was shut up in the hands of men who were required to be richer than would be necessary if slavery did not exist. Thus the plantation business to a large extent became a monopoly, and therefore even in that direction the production of cotton was constantly limited and controlled. I was speaking to a gentleman the other day from Mississippi. I believe no man in America or in England is more acquainted with the facts of the case. He was for many years senator for the State of Mississippi. He told me that every one of these facts was true; and he said that he had no doubt whatever that in ten years after freedom in the South, or after freedom in conjunction with the North, the production of cotton would be doubled, and cotton would be forwarded to the consumers of the world at a much less price than we have had it for many years past. I shall turn for a moment to the political interest, to which the hon. and learned Gentleman paid much more attention than to the commercial. The more I consider the course of this war, the more I come to the conclusion that it is improbable in future that the United States will be broken into separate republics. I do not necessarily come to the conclusion that the North will conquer the South. But I think the conclusion to which I am more disposed to come now than at any time since the breaking-out of the war is this—that if a separation should occur for a time, still the interests, the sympathies, the sentiments, the necessities of the whole continent, and its ambition also, which seems to some people to be a necessity, render it highly probable that the continent will still be united under one central Government. I may be quite mistaken. I do not express that opinion with any more confidence than hon. Gentlemen have expressed theirs in favour of a permanent dissolution; but, now, is not this possible—that the Union may be again formed on the basis of the South? There are persons who think that possible. I hope it is not, but we cannot say that it is absolutely impossible. Is it not possible that the Northern Government might be beaten in their military operations? Is it not possible that by their own incapacity they might be humiliated before their own people; and is it not even possible that that party which you please to call the peace party in the North, but, which is in no sense a peace party, should unite with the South, and that the Union should be reconstituted on the basis of Southern opinions and of the Southern social system? Is it not possible, for example, that the Southern people, and those in their favour, should appeal to the Irish population of America against the negroes, between whom there has been little sympathy and little respect—and is it not possible they should appeal to the commercial classes of the North—and the rich commercial classes in all countries, who, from the uncertainty of their possessions and the fluctuation of their interests, are rendered always timid and almost always corrupt—is it not possible, I say, that all these might prefer the union of their whole country upon the basis of the South rather than that disunion, which many Members of this House look upon with so much apparent satisfaction? If that should ever take place—but I believe with my hon. Friend below me (Mr. W. E. Forster) in the moral Government of the world, and therefore I cannot believe that it will take place—but if it were to take place, with their great armies, and with their great navy, and their almost unlimited power, they might offer to drive England out of Canada, France out of Mexico, and whatever nations are interested in them out of the islands of the West Indies; and you might then have a great State built upon slavery and war, instead of that free State to which I look, built up upon an educated people, upon general freedom, and upon morality in government. Now, there is one more point to which the hon. and learned Gentleman will forgive me if I allude—he does not appear to me to think it of great importance—and that is, the morality of this question. The right hon. Gentleman the Chancellor of the Exchequer, and the hon. Gentleman who spoke from the bench behind—and I think the noble Lord, if I am not mistaken—referred to the carnage which is occasioned by this lamentable strife. Well, carnage I presume, is the accompaniment of all war. Two years ago the press of London made themselves merry—if I may use such a term of the newspapers—at the battles of the United States, in which nobody was killed, and few were hurt. There was a time when I stood up in this House and pointed out the horrors of war. There was a war waged by this country in the Crimea; and the Chancellor of the Exchequer, as with an uneasy conscience, is constantly striving to defend that struggle. That war—for it lasted about the same time that the American war has lasted—at least destroyed as many lives as are estimated to have been destroyed in the United States. My hon. Friend the Member for Dundee—who, I think, is not in the House—made a speech in Scotland some time last year, in which he gave the numbers which were lost by Russia in that war. An hon. Friend near me observes that some people do not reckon the Russians for anything. I say, that if you will add the Russians to the English, and the two to the French, and the three to the Sardinians, and the four to the Turks, that more lives were lost in the invasion of the Crimea, in the two years that it lasted, than have been lost now in the American war. That is no defence of the carnage of the American war at all; but let hon. Gentlemen bear in mind that when I protested against the carnage in the Crimea — for an object which few could comprehend, and nobody could fairly explain—I was told that I was actuated by a morbid sentimentality. Well, if I was converted, and if I view the mortality in war with less horror than I did then, it it must be attributed to the arguments of hon. Gentlemen opposite, and from the Treasury bench; but the fact is, I view this carnage just as I viewed that, with only this difference, that while our soldiers perished 3,000 miles from home in a worthless and indefensible cause, these men—the soldiers of the United States — are on their own soil, and every man of them knows for what he enlisted, and for what end he is to fight. Now, I will ask the right hon. Gentleman the Chancellor of the Exchequer, and those who are of opinion with him on this question of slaughter in the American war—a slaughter which I hope there is no hon. Member here, and no person out of this House, that does not in his calm moments look upon with grief and horror—to consider what was the state of things before the war. It was this—that every year in the slave States of America there were 150,000 children born into the world —born with the badge and the doom of slavery—born to the liability by law, and by custom, and by the devilish cupidity of man—to the lash and to the chain and to the branding iron, and to be taken from their families and carried they knew not where. I want to know whether you feel as I feel upon this question. When I can get down to my home from this House, I find half a dozen little children playing upon my hearth. How many Members are there who can say with me that the most innocent, the most pure, the most holy joy, which in their past years they have felt, or in their future years they have hoped for, has not arisen from contact and association with our precious children? Well, then, if that be so—if, when the hand of death takes one of these flowers from our dwelling, our heart is overwhelmed with sorrow and our household is covered with gloom—what would it be if our children were brought up to this infernal system—150,000 of them every year brought into the world in these slave States, amongst these "gentlemen," amongst this chivalry, amongst these men that we can make our friends? Do you forget the thousand-fold griefs, and the countless agonies which belonged to the silent conflict which slavery waged with human rights before the war began? It is all very well for the hon. and learned Gentleman to tell me, to tell this House —he will not tell the country with any satisfaction to it—that slavery, after all, is not so bad a thing. The brother of my hon. Friend the Member for South Durham, told me that in North Carolina he himself saw a woman whose every child, ten in number, had been sold when they grew up to that age at which they would fetch a price to their master. I have not heard a word to-night of another question —I mean the proclamation of the President of the United States. The hon. and learned Gentleman spoke somewhere in the country, and he had not the magnanimity to abstain from a statement which I was going to say he must have known had no real weight. I can make all allowance for the passion—and I was going to say the malice—but I will say the ill-will of the hon. and learned Gentleman; but I make no allowance for his ignorance. I make no allowance for that, because if he is ignorant, it is his own fault, for God has given him an intellect which ought to keep him from ignorance on a question of this magnitude. I now take that proclamation. What do you propose to do? You propose by your Resolution to help the South if possible to gain and sustain its independence. Nobody doubts that. The hon. and learned Gentleman will not deny it. But what becomes of the proclamation? I should like to ask any lawyer in what light we stand as regards that proclamation? To us there is only one country in what was called the United States—there is only one President—there is only one general Legislature — there is only one law; and if that proclamation be lawful anywhere—[Mr. ROEBUCK: Hear!]— we are not in a condition to deny its legality, because at present we know no President Davis nor do we know the men who are about him. We have our consuls in the South, but recognising only one Legislature, one President, one law. So far as we are concerned, that proclamation is a legal and effective document. I want to know, I want to ask you, the House of Commons, whether you can turn back to your own proceedings in 1834, and trace the praises which have been lavished upon you for thirty years by the great and good men of other countries— and whether, after what you did at that time, you believe that you will meet the views of the thoughtful, moral, and religious people of England when you propose to remit to slavery 3,000,000 of negroes in the Southern States, who, in our view, and regarding the proclamation of the President of the United States as a legal document, are certainly and to all intents and purposes now legally free? ["Oh!"] The hon. and learned Gentleman may say "Oh!" and shake his head lightly, and laugh at this. He has managed to get rid of those feelings under which all men, black and white, bless the gift of freedom. He has talked of the cant and hypocrisy of the men who have pleaded for the negro. Was Wilberforce, was Clarkson, was Buxton—I might run over the whole list —were these men hypocrites, and had they nothing about them but cant? I could state something about the family of my hon. Friend below me (Mr. Forster), which I almost fear to state in his presence, but his revered father—a man unsurpassed in character—not equalled by many in intellect, and approached by few in service, laid down his life in a slave State in America while carrying to the governors and Legislatures of every slave State the protest of himself and his sect against the enormity of that odious system. In conclusion, Sir, I have only this to say, that I wish to take of this question a generous view—a view, I say, generous with regard to the people with whom we are in amity, whose Minister we receive here, and who receive our Minister in Washington. We see that the Government of the United States has for two years past been contending for its life, and we know that it is contending necessarily for human freedom. That Government affords the remarkable example—offered probably for the first time in the history of the world—of a great Government coming forward as the organized defender of law, freedom, and equality. ["Oh!" *and cheers.*] Surely, hon. Gentlemen opposite cannot be so ill-informed as to say that the revolt of the Southern States is in favour of freedom and equality. In Europe often, and in some parts of America, when there has been insurrection, it has been of the suffering generally against the oppressor, and rarely has it been found, and not more commonly in our history than in the history of any other country, that the Government has stepped forward as the organized defender of freedom—of the wide and general freedom of those under their rule. With such a Government, in such a contest, with such a foe, the hon. and learned Gentleman the Member for Sheffield, who professes to be more an Englishman than most Englishmen, asks us to throw into the scale against them the weight of the hostility of England. I have not said a word with regard to what may happen to England if we go into war with the United States. It will be a war on the ocean—every ship that belongs to the two nations will, as far as possible, be swept from the seas; but when the troubles in America are over—be they ended by restoration of the Union or by separation—that great and free people, the most instructed in the world—[*Loud cries of* "No!"]—there is not an American to be found in the New England States who cannot read and write, and there are not more than three men in a hundred in the whole Northern States who cannot read and write—and those who cannot read and write are those who have recently come from Europe—I say the most instructed people in the world and the most wealthy—if you take the distribution of wealth among the whole people—will have left in their hearts a wound which probably a century may not heal, and the posterity of some of those who now hear my voice may look back with amazement, and I will say with lamentation, at the course which was taken by the hon. and learned Gentleman and by such hon. Members as may choose to follow his leading. ["No, no!"] I suppose the hon. Gentlemen who cry "No!" will admit that we sometimes suffer from some errors of our ancestors. There are few persons who will not admit, that if their fathers had been wiser, their children would have been happier. Sir, we know the cause of this revolt, its purposes, and its aims. Those who made it have not left us in darkness respecting their intentions—but what it is to accomplish is still hidden from our sight, and I will abstain now, as I have always abstained with regard to it, from predicting what is to come. I know what I hope for—and what I shall rejoice in—but I know nothing of the future that will enable me to express a confident opinion. Whether it will give freedom to the race which, for generations past, white men have trampled in the dust, and whether it will purify a nation steeped in crime in connection with its conduct to that race, is known only to the Supreme. In His hands are alike the breath of man and the life of States. I am willing to commit to Him the issue of this dread contest; but I implore of Him, and I beseech this House, that my country may lift nor hand nor voice in aid of the most stupendous act of guilt that history has recorded in the annals of mankind.

Mr. PERCY WYNDHAM believed there were thousands of men in the Northern States who would be glad to hear a voice from Europe calling upon them to acknowledge the independence of the South. They knew they were engaged in a hopeless contest; and they had no wish, like so many of their countrymen, to pursue an unholy war, for the sake of pecuniary gain. He concluded by moving the adjournment of the debate.

[Here there were loud and general cries for "Mr. Lindsay." The hon. Member rose from his seat, but sat down without addressing the House.]

Sir GEORGE GREY:—If the hon. Member for Sunderland (Mr. Lindsay) wishes to address the House, I should be sorry to interfere with him, and I think we may go on for an hour longer. However, as there is a Motion for the adjournment of the debate, I may take this opportunity of giving an answer to the question so pointedly put by the noble Lord the Member for Stamford (Lord Robert Cecil). I shall say nothing as to the extraordinary fact of a Member of this House charging himself, after personal communication with a foreign Sovereign, with the duty of explaining in his place the views and intentions of that Sovereign relative to a public question of great interest and importance. But the hon. and learned Member for Sheffield (Mr. Roebuck) has done more than that—he has made himself the channel of conveying to this House a complaint of a foreign Sovereign against the government of his own country, charging us with a breach of courtesy in connection with communications alleged to have passed between the French Government and ourselves. The noble Lord the Member for Stamford attached more importance to the statement of the hon. and learned Member than the rest of the House seemed disposed to do, and complained that no explicit answer had been given to it, trusting that before the debate closed to-night the Government would make some more satisfactory explanation. I am utterly unable to give any explanation whatever of the extraordinary statement of the hon. and learned Member for Sheffield. All I can say is that what he has stated is at variance with the information which Her Majesty's Government possess, and with the communications they have received from the Government of France. The noble Lord complains that information on the subject has been withheld from Parliament. It will be recollected that this evening, in reply to a Question from the hon. Member for Bradford, the Under Secretary for Foreign Affairs stated that no communication—meaning, of course, no recent communication, not referring to what took place last year—had been received from the Government of France by Her Majesty's Government, proposing either mediation with regard to the war in America, or recognition of the Southern States. Since that statement was made to the House, it has come to the knowledge of many Members that it has been stated elsewhere that this afternoon, just before the meeting of the House, Baron Gros waited upon Lord Russell, and informed him that he had not been instructed to make any such communication to Her Majesty's Government as that which has been spoken of. My hon. Friend did not know of that circumstance when he answered the Question this evening. So far from withholding any information from the House, he stated upon the anthority of Earl Russell that no such communication had been received from the Emperor of the French. I can only say that I am utterly unable to explain the discrepancy between the hon. and learned Member for Sheffield's statement and the fact that Her Majesty's Government received no such communication. It has been stated that the communication which was well known to have been made last year to Her Majesty's Government on the part of the Emperor of the French, proposing a mediation between the contending parties in America, was transmitted by Earl Russell to Lord Lyons, and by Lord Lyons handed to Mr. Seward, by which means Mr. Seward received information which would otherwise have been withheld from him respecting the Emperor's proposal to Her Majesty's Government. Now, I know that no secret was made at the time that such a proposal had been made by the Emperor of the French to Her Majesty's Government. It was announced by the newspapers that that despatch had been taken into consideration by Her Majesty's Government, and answered in terms of the courtesy of which I am sure the Emperor of the French had no reason to complain—and never has complained. I have no doubt that that correspondence, that despatch in fact, was communicated by Earl Russell to Lord Lyons, in order, that representing this country as he did at Washington, he might know what was going on in Europe upon a matter in which this country was concerned. So far from a secret existing in regard to that despatch, even before Parliament met that Correspondence was laid on the table of the House. It was published in the newspapers and afterwards laid before Parliament, and therefore it is preposterous to talk now of any secrecy in connection with it. I must say that Lord Lyons is incapable of the conduct which has been imputed to him. He is held in high esteem by the Government of the United States, to which he is accredited, and I am sure that in none of his acts would he be guilty of anything approaching to a breach of confidence towards the Government of France or any other foreign country.

Lord ROBERT CECIL explained that he had no intention of imputing to Lord Lyons any act contrary to his official duty. He had only repeated the statement made earlier in the evening by the hon. and learned Member for Sheffield. Whatever Lord Lyons might have done was no doubt done in strict conformity with the orders he had received from the Foreign Office; and any imputation of a breach of the *entente cordiale* must lie at the door, not of Lord Lyons, but of the Foreign Minister who instructed him.

Mr. NEWDEGATE said, he had on a previous occasion directed the attention of the House to the ill effects of unauthorized diplomacy. They all remembered the deputation to St. Petersburg The representations of that deputation misled the Emperor Nicholas, and produced the calamities of the Crimean war. What were they to think of the conduct of the hon. and learned Member for Sheffield? He went to Paris, and, on his own authority, negotiated with the Emperor of the French; and now he made a Motion in that House, based upon the conversation which he had with the Emperor. The people of this country, most assuredly, would not be satisfied if the House approved a Motion which had been placed on the Journals of the House at the instance of a foreign Potentate. Moreover, beyond doubt, such a Resolution, supported by such a speech as that with which it had been introduced, would give universal offence in America. Having himself been in the United States, and still remembering the friendship there manifested towards him, and his acquaintance with Americans, he was perfectly confident that if anything was more calculated to defeat the object they all desired—the maintenance of peaceful relations and restoration of peace in America—it was this Motion and the speech of the hon. Member for Sheffield. He (Mr. Newdegate) should feel it his duty to vote against the Motion.

LORD ROBERT MONTAGU asked, when it would be convenient to resume the debate.

SIR GEORGE GREY: It is for the hon. and learned Member for Sheffield to answer that question.

MR. ROEBUCK: On Thursday next, upon the Motion for going into Committee of Supply.

Debate *adjourned* till *To-morrow.*

POISONING BILL—[BILL 181.]

SECOND READING.

Order for Second Reading read.

VISCOUNT RAYNHAM moved the second reading of this Bill, the object of which was to require the adoption of certain precautionary means as a guard against accidental poisoning. For this purpose the Bill required that after the 1st November next no substance of a poisonous nature shall be allowed to be sold by retail in any paper or other packet, but only in glass phials or bottles of hexagonal shape, of which five sides are fluted, and to the sixth side a label distinctly marked "Poison," with directions for the use of the substance contained therein, is to be affixed. The penalty for the non-observance of these rules to be not exceeding £5.

Motion made, and Question proposed, "That the Bill be now read a second time."

SIR GEORGE GREY, having stated some objections to the measure, moved as an Amendment that the Bill be read that day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Sir George Grey.*)

Question, "That the word 'now' stand part of the Question," put, and *negatived.*

Words *added.*

Main Question, as amended, put, and *agreed to.*

Bill *put off* for three months.

CORPORAL PUNISHMENT IN SCHOOLS BILL—[BILL 169.]—SECOND READING.

Order for Second Reading read.

VISCOUNT RAYNHAM moved the second reading of this Bill, which was to put an end to the irregular and cruel treatment of pupils by schoolmasters and tutors, especially in national schools. He was anxious to prevent severe and permanent injuries being inflicted upon children, and the measure provided that only a birch rod should be used.

Motion made, and Question proposed, "That the Bill be now read a second time."

SIR GEORGE GREY said, this Bill was of an unnecessary and almost of a ridiculous character.

LORD EDWIN HILL-TREVOR moved that the Bill be read that day two months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day two months."—(*Lord Edwin Hill-Trevor.*)

MR. BASS called attention to the fact that corporal punishment was in practice at Harrow and Rugby; and he therefore was favourable to the Bill, as one that would put an end to a degrading practice. It was shocking to think of a young man of seventeen being subject to flogging. At this late period of the Session, however, perhaps the best plan to be adopted would be to withdraw the Bill and bring it in earlier in another Session.

MR. LYGON said, he would be sorry to say the usual punishments of the public schools were well adapted for the purposes of discipline; but he did not think that hon. Members should go into details as to their experience of corporal punishment.

MR. CONINGHAM protested against the continuance of corporal punishment in schools. He thought it useless and degrading.

Question, "That the word 'now' stand part of the Question," put, and *negatived.*

Words *added.*

Main Question, as amended, put, and *agreed to.*

Bill *put off* for two months.

METROPOLIS MAIN DRAINAGE (GUARANTEE OF REPAYMENT OF MONEY).

COMMITTEE.

Considered in Committee.

(In the Committee.)

THE CHANCELLOR OF THE EXCHEQUER moved to Resolve—

> "That it is expedient to guarantee the repayment of any money that may be borrowed under the provisions of any Act of the present Session for the purpose of the Main Drainage of the Metropolis, together with the interest thereon; and, for the purpose of giving effect to such guarantee, it shall be lawful for the Commissioners of Her Majesty's Treasury to cause advances to be made, out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, of such sums as may be necessary for the repayment of such principal and interest, in aid of any other monies applicable for that purpose under the said Act."

The Resolution had become necessary under the following circumstances. The sum originally authorized by Parliament was secured by a 3*d.* rate extending over forty years. Since 1858 a very large increase had taken place in the cost of materials and labour. The additional cost would amount to £1,200,000. The Metropolitan Board of Works was limited in point of time for the construction of the works, so that they would probably be in a state of exhaustion in February next. The sum already authorized by the Act to be borrowed was £3,000,000. The additional sum now asked for was £1,200,000, making £4,200,000. The main drainage rate of 3*d.* in the pound would produce in forty-five years £7,500,000; and after deducting the charge for interest, there would be left £4,500,000, which would leave £300,000 to spare; but the value of property subject to assessment was constantly increasing, and he did not think there was any fear that the Government would be called upon for anything.

SIR HENRY WILLOUGHBY hoped that the Metropolitan Members would give attention to this Bill, as some of the proceedings of the Metropolitan Board of Works were rather extraordinary—as, for instance, the emptying the sewage into the River Lea.

MR. ADDERLEY did not see how the present enhanced price of labour and materials should affect the expenditure of the past.

MR. HUNT said, they were discussing the question in the dark, and it would be better if papers were laid on the table, so that they might discuss the matter on the second reading.

MR. LYGON thought, that although the increased cost of labour at the present time might account for future increase, it would not account for increase in the past expenditure.

THE CHANCELLOR OF THE EXCHEQUER said, that he was not prepared to defend all the estimates of the Metropolitan Board of Works.

MR. LOCKE asked how much of the work remained to be done.

MR. TITE said, that three-fourths of the drainage on the Northern side was completed, and a large portion of the drainage on the South side was well advanced. The increase in the price of labour and material began almost as soon as the works began.

Resolved,

> That it is expedient to guarantee the repayment of any money that may be borrowed under the provisions of any Act of the present Session for the purpose of the Main Drainage of the Metropolis, together with the interest thereon; and, for the purpose of giving effect to such guarantee, it shall be lawful for the Commissioners of Her Majesty's Treasury to cause advances to be made, out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, of such sums as may be necessary for the repayment of such principal and interest, in aid of any other moneys applicable for that purpose under the said Act.

House *resumed.*

Resolution to be reported *To-morrow.*

PRISON MINISTERS BILL—[BILL 191.]

LORDS' AMENDMENTS.

Lords' Amendments *considered.*

Several *agreed to.*

SIR GEORGE GREY proposed to agree to an Amendment made by the Lords in Clause 3, with an Amendment as follows:—

Amendment,

> Page 2, line 28, after "communications," to insert "Provided that any prisoner shall, on request, be allowed to attend the chapel or to be visited by the chaplain of the gaol; every minister appointed or permitted to visit prisoners under this Act shall hold his appointment or permission to visit during the pleasure of the authority by whom he

was appointed or permitted to visit, and shall conform in all respects to the regulations of the prison at which he attends; no minister shall be appointed under this Act for any prison in which there is not a chaplain of the Established Church," —read.

Amendment proposed to be made thereunto,

By leaving out the words "provided that any prisoner shall, on request, be allowed to attend the chapel or to be visited by the chaplain of the gaol."—(*Sir George Grey.*)

Question put, "That those words stand part of the Amendment."

The House *divided:* — Ayes 19; Noes 28: Majority 9.

SIR GEORGE GREY then proposed another Amendment to the Amendment made by the Lords in the same clause—namely, to omit the words "no minister shall be appointed under this Act for any Prison in which there is not a Chaplain of the Established Church."

Question put, "That those words stand part of the Amendment:"—*Resolved* in the *Negative.*

Amendment, as amended, *agreed to.*

Subsequent Amendment *agreed to.*

LANDED PROPERTY IMPROVEMENT (IRELAND) BILL.

On Motion of Mr. LONGFIELD, Bill for the amendment in certain particulars of "The Landed Property Improvement (Ireland) Act, 1860," and to facilitate Agricultural Improvements in Ireland, *ordered* to be brought in by Mr. LONGFIELD, Mr. LEADER, and Mr. HASSARD.

MILITIA BALLOTS SUSPENSION BILL.

On Motion of The Marquess of HARTINGTON, Bill to suspend the making of Lists and the Ballots for the Militia of the United Kingdom, *ordered* to be brought in by The Marquess of HARTINGTON and the JUDGE ADVOCATE.

Bill *presented,* and read 1°.

PUBLIC WORKS AND FISHERIES ACTS AMENDMENT BILL.

Bill to amend, so far as regards Advances for the purposes of "The Harbours and Passing Tolls, &c. Act, 1861," certain of the Acts authorizing the Advance of Money out of the Consolidated Fund for carrying on Public Works and Fisheries, and Employment of the Poor, *presented,* and read 1°. [Bill 198.]

House adjourned at a quarter after Two o'clock.

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TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CLXXI.

THIRD VOLUME OF SESSION 1863.

Explanation of the Abbreviations.

In Bills, Read 1°, 2°, 3°, or 1ª, 2ª, 3ª, Read the First, Second, or Third Time.—In Speeches, 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—R. P., Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—*1st. Div.*, *2nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

☞ When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

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CONOLLY, Col. T., *Donegal Co.*
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Corporal Punishment in Schools Bill
(*Visct. Raynham, Mr. Dunlop*)
c. Read 1°* *June* 17 [Bill 169]
Motion, "That the Bill be now read 2°" (*Visct. Raynham*) *June* 30, 1842; Amendt. "upon this day two months" (*Lord E. Hill-Trevor*); After short Debate, Question, "That the word 'now' &c." negatived; Words added
Main Question, as amended, agreed to; Bill put off for two months

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(*Sir G. Grey, Mr. Briscoe*)
c. Lords' Amendts. considered *June* 1, 234; Several Amendts. agreed to [Bill 136]
Amendt. to leave out Clause 11—Question, "That this House doth disagree with The Lords in the said Amendment"—A. 40, N. 61, M. 21; Amendt. agreed to
Royal Assent *June* 8 [26 & 27 *Vict.*, c. 29]
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(*Mr. Butt, Mr. Murray*)
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Cotton Districts, Unemployed Unmarried Women in the
Question, Mr. Ferrand; Answer, Mr. Villiers, 1436

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(*The Lord Advocate, Sir G. Grey*)
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(*The Lord Brougham*)
l. Read 1ª *June* 29, 1594 (No. 171)

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(*Lord Hamilton*)
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Cox, Mr. W., *Finsbury*
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  Supply—Royal Parks, 216;—Holyhead, Portpatrick, &c. Harbours, 462, 466;—Public Education (Ireland), 1111
  Thames Embankment (South Side), Comm. *cl.* 25 Amendt. 1277; *cl.* 29, 1278
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Crawford, Mr. R. W., *London*
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  Public Works (Manufacturing Districts), 2R. 1087

Cubitt, Mr. G., *Surrey, W.*
  Newcastle-upon-Tyne (St. Mary Magdalen) Hospital, Comm. *cl.* 9, 1493

Customs and Inland Revenue Bill
  (*Mr. Massey, The Chancellor of the Exchequer, Visct. Palmerston*)
l. Read 3ª * *June* 1 (No. 101)
  Royal Assent *June* 8 [26 & 27 *Vict.*, c. 22]

Dalglish, Mr. R., *Glasgow*
  Admiralty, Board of, Comm. moved for, 657, 1419
  Statute Labour Roads and Bridges (Scotland), Comm. *cl.* 1, Adj. moved, 1309; *cl.* 3, 1312

Dawson, Mr. R. P., *Londonderry Co.*
  Ireland, Condition of, Comm. moved for, 862
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Disraeli, Rt. Hon. B., *Buckinghamshire*
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  Mhow Court Martial—Col. Crawley, 1439
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District Parochial Churches (Ireland) Bill
  (*Sir H. Cairns, Mr. Whiteside*)
c. Considered as amended * *June* 4 [Bill 122]
  Read 3º *, and passed, *June* 5
l. Read 1ª* *June* 9 (No. 126)
  Read 2ª* *June* 29

Dockyards Protection Act Amendment Bill [H.L.] [Bill 130]
  (*The Duke of Somerset*)
c. Read 2º * *June* 1
  Committee* and Report* *June* 9
  Read 3º * *June* 10
  Royal Assent *June* 22 [26 & 27 *Vict.*, c. 30]

Dodson, Mr. J. E., *Sussex, E.*
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l. Read 1ª* *June* 15 (No. 136)
Read 2ª* *June* 25, and referred to a Select Committee
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Committee:—Mr. Peel, Mr. Massey, Sir Stafford Northcote, Mr. Attorney General, Mr. Solicitor General, Mr. Adderley, Mr. Cowper, Sir William Jolliffe, Colonel French, Mr. Baring, Mr. Williams, Mr. Brand, and Lord John Manners
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Land Drainage (Provisional Orders) Bill
(*Mr. Bruce, Sir G. Grey*) [Bill 85]
c. Moved, "That Bill be re-committed to former Committee" (*Mr. H. S. Thompson*), *June* 18, 1113; Motion withdrawn
Bill considered in Committee and reported [Bill 173]
Considered as amended * *June* 22
Read 3° * *June* 23
l. Read 1ª * *June* 25 (No. 160)

Landed Property Improvement (Ireland) Bill
(*Mr. Longfield, Mr. Leader, Mr. Hassard*)
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Landlord and Tenant
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Irish Church Establishment, Comm. moved for, Adj. moved, 1716
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Leases and Sales of Settled Estates Act Amendment Bill [H.L.] (No. 42)
l. House in Committee (*The Lord Chancellor*) *June* 25, 1424
Moved, to insert clause repealing the 21st section of the Act of 1856 (*Lord Chelmsford*); agreed to
new cl. (Alienation of Land for Railways) (*The Lord Chancellor*); After Debate, Motion withdrawn
Report * *June* 26 (No. 158)
Read 3ª * *June* 29

Leases and Sales of Settled Estates Act Amendment Bill [Bill 119]
(*Mr. Cox, Sir Morton Peto*)
c. Moved, "That the Bill be now read 2°" (*Mr. Cox*) *June* 24, 1420; Amendt. "upon this day three months" (*Visct. Enfield*), 1421; Question, "That 'now' &c."—A. 24, N. 78, M. 54; Words added
Main Question, as amended, agreed to; Second Reading put off for three months

Lefroy, Mr. A., *Dublin University*
Civil Bill Courts (Ireland), 2R. 1026
Supply—University of London, 938;—Public Education (Ireland), 1110, 1472, 1473
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Leighton, Sir B., *Salop, S.*
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Poor Removal (No. 2), Comm. *cl.* 1, 1284
Public Works (Manufacturing Districts), 2R. 1075
Supply—Embassy Houses Abroad, 369
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Lennox, Lord G. C. H. G., *Chichester*
Supply—Department of Science and Art, 760

Lewis, Mr. J. H., *Marylebone*
Metropolis Turnpike Roads Acts Amendment, Comm. *add. cl.* 687, 688
Poor Removal (No. 2), Comm. *cl.* 1, 1283
Supply—Holyhead, Portpatrick, &c. Harbours, 465
Volunteers, Comm. *cl.* 7, Amendt. 343, 344; *cl.* 21, 354; *cl.* 24, Amendt. 365

Library of the House (Lords)
Select Committee appointed to consider of certain Matters relative to the Library of this House and to the Papers and Documents delivered for their Lordships' House *June* 22
Committee—L. Abp. Canterbury, Ld. Chancellor, Ld. President, Ld. Privy Seal, D. Richmond, M. Bath, E. Stanhope, E. Malmesbury, E. Russell, V. Eversley, L. Willoughby de Eresby, L. Colville of Culross, L. Ponsonby, L. Wycombe, L. Redesdale, L. Colchester, L. Somerhill, L. Brougham and Vaux, L. Monteagle of Brandon, L. Cranworth, L. St. Leonards, L. Wensleydale, L. Chelmsford, L. Kingsdown.

Liddell, Hon. G. H., *Northumberland, S.*
Alkali Works Regulation, Comm. *cl.* 12, 1172
China—British Officers in, 4
Greenwich Hospital, 1189
Japan—Affairs of, 897
Newcastle-upon-Tyne (St. Mary Magdalen) Hospital, Comm. *cl.* 9, 1493
Pier and Harbour Orders Compensation, Comm. 964; Consid. 1281
Sea Fisheries, Commission moved for, 272
Supply—Royal Parks, 223;—Public Education (Great Britain), 757

Lights, Buoys, and Beacons
Question, Mr. Augustus Smith; Answer, Mr. Milner Gibson, 250

Lindsay, Mr. W. S., *Sunderland*
  Greenwich Hospital, 1216
  Harwich Harbour, Comm. 1221
  Supply—Harbours of Refuge, 450; Amendt. 451, 458

Lisburn Election
  Committee nominated *June* 3:—Visct. Curzon, Visct. Enfield, W. E. Forster, esq., G. Sclater-Booth, esq., T. W. Evans, esq., Chairman
  House informed, *June* 5, that the Committee had determined—
   That John Doherty Barbour, esquire, is not duly elected a Burgess to serve in this present Parliament for the Borough of Lisburn
   That the last Election for the said Borough is a void Election
  And the said Determinations were ordered to be entered in the Journals of this House
  Further Resolutions, 402
  Question, Mr. Sclater-Booth; Answer, Mr. O'Hagan, 1048
  Motion, "That this House do now adjourn" (*Mr. Baines*)—A. 19, N. 142, M. 123, 1223
  Whereupon, Motion, "That Mr. Attorney General for Ireland be instructed to prosecute John Doherty Barbour, Robert Barbour, and Thomas Barbour, for bribery, treating, and undue influence committed by them at the late Election for the Borough of Lisburn" (*Mr. Collins*), 1224
  Motion, "That the Debate be now adjourned" (*Mr. Bagwell*); Motion withdrawn, 1224
  Amendt. to leave out the words "Thomas Barbour" (*Mr. Evans*); After short Debate, Question, "That the words proposed to be left out &c." negatived
  Main Question, as amended, put, and agreed to

Llandaff, Bishop of
  Burial Service, Commission moved for, 167

Loan Societies Bill
  (*Mr. Bruce, Sir G. Grey*)
c. Read 1°*, *June* 24 [Bill 185]
  Read 2°* *June* 30

Local Government Supplemental Bill
  (*Mr. Bruce, Sir G. Grey*)
c. Read 2° *April* 23 [Bill 84]
  Re-committed to a Select Committee *May* 4
  Report * *June* 4; re-committed (No. 151)
  Committee * and Report * *June* 9
  Read 3° * *June* 10
l. Read 1ª * *June* 11 (No. 130)
  Read 2ª * *June* 18
  Committee and Report * *June* 19
  Read 3ª * *June* 22
  Royal Assent * *June* 29 [26 & 27 *Vict.*, c. 32]
   Parl. Papers—*Commons*. . . . Bill 84
    As amended by Select Committee Bill 151
    Lords . . . . . No. 130

Local Government Supplemental (No. 2) *Bill* [Bill 165]
  (*Mr. Bruce, Sir G. Grey*)
c. Read 1° * *June* 12
  Read 2° * *June* 17
  Committee * and Report * *June* 19
  Read 3° * *June* 22

Local Government Supplemental (No. 2) Bill—cont.
l. Read 1ª * *June* 23 (No. 154)
  Read 2ª * *June* 29
  Committee * *June* 30

Locke, Mr. J., *Southwark*
  Innkeepers' Liability (No. 1), Comm. *add. cl.* 675
  London (City) Traffic Regulation, 2R. 1040
  Metropolis Main Drainage (Guarantee of Repayment of Money), Comm. Resolution, 1844
  Poor Removal (No. 2), Comm. *cl.* 1, 1286
  Supply—Department of Science and Art, 763; —British Historical Portrait Gallery, 1482

London, Bishop of
  Burial Service, Commission moved for, 161, 166
  Prison Ministers, 2R. 509, 512

London (City) Traffic Regulation Bill (Lords)
c. Motion, "That the Bill be now read 2°," *June* 18, 1039; Amendt. "upon this day three months" (*Mr. Ayrton*); After short Debate, Amendt. withdrawn
  Main Question agreed to; Bill read 2° *June* 18
  Moved, "That Standing Order 185 be suspended, and Bill committed to a Select Committee of Fifteen Members" (*Sir J. Shelley*) *June* 22, 1247—A. 95, N. 100, M. 5.

London Coal and Wine Duties Bill
l. Read 2ª * *June* 12 (No. 104)
  Committee * *June* 19; Report * *June* 22
  Read 3ª * *June* 23

London, &c. Dioceses Bill [H.L.] (No. 133)
c. Read 2° * *June* 15
  Committee * and Report * *June* 22
  Read 3° * *June* 23
  Royal Assent *June* 29 [26 & 27 *Vict.*, c. 36]

Long, Mr. R. P., *Chippenham*
  Mexico—Siege of Puebla, 570
  Welsh Mails, 1313

Longfield, Mr. R., *Mallow*
  Bride and Blackwater Rivers, Resolution, 983
  Civil Bill Courts (Ireland), 2R. 1026, 1028
  Fisheries (Ireland), Comm. *cl.* 4, Amendt. 800, 801, 802, 967, 968; *cl.* 5, 972; *cl.* 6, 1756; *cl.* 7, 1757, 1758, 1762
  Ireland, Condition of, Comm. moved for, 836
  Supply—Public Education (Ireland), 1471

Lovaine, Lord, *Northumberland, N.*
  Electric Light, The, 428

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  Education Report, 403
  Education—The Revised Code, 1042, 1314, 1315
  Endowed Charities, 722
  Endowed Schools, 2R. 1006

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- Inspectors of Schools' Reports, 720
- Newcastle-upon-Tyne (St. Mary Magdalen) Hospital, 2R. 1113; Comm. *cl.* 9, 1493; Schedule 1494
- Parochial Schoolmasters in Scotland, 1178
- Supply—Public Education (Great Britain), 745, 751, 753;—Department of Science and Art, 760, 761, 763, 764; Report, Resolution 7, 953, 955, 956; Resolution 8, 957

LYALL, Mr. G., *Whitehaven*
- Singapore, Government of, 705

LYGON, Hon. F., *Tewkesbury*
- Corporal Punishment in Schools, 2R. 1842
- Courts of Justice, 405
- English Church Services in Wales, Comm. *add. cl.* Amendt. 1495
- Inland Revenue, Consid. *add. cl.* 188; Re-Comm. 191
- Metropolis Main Drainage (Guarantee of Repayment of Money), Comm. Resolution, 1844
- Newcastle-upon-Tyne (St. Mary Magdalen) Hospital, 2R. 1113; Comm. *cl.* 9, Amendt. 1493; Schedule, Amendt. 1494
- Stipendiary Magistrates, Comm. Amendt. 1494
- Supply—Court of Probate, 375, 376;—Public Buildings (Ireland), 469

LYTTELTON, Lord
- Brazil—Relations with, Papers moved for, 1161
- Burial Service, Commission moved for, 171
- New Zealand—Affairs of, 1596
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LYVEDEN, Lord
- New Zealand—Affairs of, 1611
- Prison Ministers, Comm. *cl.* 3, Amendt. 886

MACAULAY, Mr. K., *Cambridge*
- Danish Claims, The, 1218
- Ionian Islands—Removal of Judges, 1770
- MacLachlan, Jessie, Case of, 1317, 1527

MACEVOY, Mr. E., *Meath Co.*
- Business of the House, 902
- Drainage and Improvement of Land (Ireland), Consid. 382
- India—Medical Department of the Army, 808

MACKIE, Mr. J., *Kirkcudbright*
- Supply—Holyhead, Portpatrick, &c. Harbours, 463
- Trout, &c. Fishing (Scotland), 2R. 965

MCMAHON, Mr. P., *Wexford Co.*
- Assize and Circuit Courts Arrangement, Resolution, 1000
- Bride and Blackwater Rivers, Resolution, Amendt. 982
- Fisheries (Ireland), 2R. 319; Comm. *cl.* 4, 801, 803, 967, 969, 970; *cl.* 7, Amendt. 1757; Amendt. 1758; *cl.* 9, Amendt. 1759
- Poor Removal (No. 2), Comm. *cl.* 1, 1286
- Sea Fisheries, Commission moved for, 275
- Supply—Rates for Government Property, 739, 744;—Public Education (Ireland), 1476;—Governors, &c. West Indies, 1483

Madras Irrigation and Canal Company Bill
- c. Ordered * *June* 2

MAGUIRE, Mr. J. F., *Dungarvan*
- Ireland, Condition of, Comm. moved for, 856
- Landlord and Tenant (Ireland), Commission moved for, 1317, 1352, 1377
- Poor Removal (No. 2), Comm. *cl.* 1, 1286
- Queen's College, Cork, Papers moved for, 1383
- Religious Endowments (Ireland), Comm. moved for, 476
- Supply—Public Buildings (Ireland), 468, 469; Amendt. 471;—Public Education (Ireland), 1100
- Turkey and her Dependencies, Papers moved for, 115
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MALINS, Mr. R., *Wallingford*
- Supply—Commissioners of Education (Ireland), 937

MALMESBURY, Earl of
- Brazil—Relations with, Papers moved for, 1118, 1140, 1161; Explanation, 1290, 1293
- Lilley, Sergeant Major, Case of, 895

Malt Duties

Motion, "That a Select Committee be appointed to consider the effect of the Malt Duties upon the cultivation and price of Barley, and upon the manufacture and price of Malt and Malt Liquor; also upon the application of Malt to the feeding of Cattle and Sheep" (*Sir F. Kelly*) *June* 23, 1379; After short Debate, Motion withdrawn

Select Committee appointed, "to consider whether, compatibly with the interests of the Revenue, the Laws relating to the Excise Duty upon Malt can be amended so as to operate more advantageously with reference to the cultivation and price of Barley, to the manufacture and price of Malt and Malt Liquor, and to the use of Malt in the feeding of Cattle and Sheep" (*Sir F. Kelly*)

Committee—Sir FitzRoy Kelly, Mr. Chancellor of the Exchequer, Colonel Barttelot, Mr. Hunt, Mr. Cobbold, Mr. Childers, Sir Stafford Northcote, Mr. Caird, Mr. Ker Seymour, Mr. Buxton, Sir Frederick Heygate, Mr. Calthorpe, Colonel Dunne, Mr. Dodson, Mr. Beach, Mr. Puller, Mr. Edward Egerton, Mr. Cobbett, and Mr. Stirling

Report of Select Committee, *Parl. P.* 460

MANNERS, Right Hon. Lord J. J. R., *Leicestershire, N.*
- Factories, Sub-Inspectors of, 1044
- Holyhead Harbour Committee, 330
- International Exhibition Building, 178, 1049, 1050
- Ionian Islands—Transference of the, 404, 405
- Irish Church Establishment, Comm. moved for, 1593
- Public Works and Buildings, Permanent Commissioner for, Resolution, 423
- Supply—Public Buildings, 210, 212;—Repair of Furniture, 218;—Royal Parks, 218;—New Houses of Parliament, 227, 228;—Holyhead, Portpatrick, &c. Harbours, 465

Marlborough, Duke of
Burial Service, Commission moved for, 163
Duchy of Cornwall Management, Report, 568

Marriages Registration (Ireland) Bill [*Mr. Monsell*] [Bill 118]
(*Mr. Monsell, Lord Naas, Mr. Herbert*)
c. Bill considered in Committee *June* 17
cl. 1 to 6 agreed to
cl. 7, Amendt. (*Sir E. Grogan*), 1020; After Debate—A. 31, N. 105, M. 74; *cl.* agreed to
Remaining Clauses agreed to,
Bill reported * *June* 17
Read 3° * *June* 18
l. Read 1ª * *June* 19 (No. 147)

Martin, Mr. P. W., *Rochester*
Innkeepers' Liability (No. 1), Comm. *add. cl.* 675
Lisburn Election, Resolution, 1223
Mutiny (East India) Act Repeal, Comm. Adj. moved, 1222
Public-houses, 2R. 298
Supply—Civil Service Estimates, 380;—Rates for Government Property, 739, 745

Massey, Mr. W. N. (Chairman of Committees) *Salford*
Fisheries (Ireland), Comm. *cl.* 6, 1757; *cl.* 9, 1759
London (City) Traffic Regulation, 2R. 1039
Supply—Purchase of Land, &c.—Exhibition of 1851, 937;—University of London, 938

Maynooth College Act
Motion for Committee to consider Act 8 & 9 *Vict.* (*Mr. Whalley*), 251; After Debate—A. 100, N. 198, M. 98
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Melville, Viscount
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Question, Mr. Augustus Smith; Answer, Mr. Milner Gibson, 250

Metropolis Turnpike Roads Acts Amendment Bill [Bill 131]
(*Mr. G. Hardy, Sir W. Jolliffe*)
c. Bill considered in Committee * on re-committal *June* 3
Considered in Committee on re-committal *June* 10, 687
cl. 7 (Toll-houses, &c. to be removed), Amendt. (*Mr. Cox*); Question, "That the words &c."—A. 54, N. 11, M. 43
add. cl. (*Mr. Harvey Lewis*), 687—A. 12, N. 41, M. 29
Bill reported * *June* 10
Considered as amended * *June* 15
Read 3° * *June* 17
l. Read 1ª * *June* 18 (No. 145)
Read 2ª * *June* 29

Metropolitan Main Drainage (Guarantee of Re-payment of Money)
Considered in Committee; Resolution (*Chancellor of Exchequer*) *June* 30, 1843

Mexico
Puebla, Siege of, Question, Mr. R. P. Long; Answer, Mr. Layard, 570

Midwifery Bill
(*Visct. Raynham, Mr. Brown-Westhead*)
c. Read 1° * *June* 22 [Bill 180]
Bill withdrawn * *June* 26

Miles, Sir W., *Somersetshire, E.*
Election Petitions, 2R. 687; Comm. 1019
Fortifications on Brean Downs, 1044
Highways Act, 976
Supply—Report, Resolution 7, 956

Militia Ballots Suspension Bill
(*Marquess of Hartington, Judge Advocate*)
c. Read 1° * *June* 30

Militia Pay Bill
c. Read 1° * *June* 11
Read 2° * *June* 15
Committee * and Report * *June* 18
Read 3° * *June* 19
l. Read 1ª * *June* 22
Read 2ª * *June* 23
Committee * and Report * *June* 25
Read 3ª * *June* 26
Royal Assent *June* 29 [26 & 27 *Vict.*, c. 37]

Milliners and Dressmakers
Motion for an Address (*The Earl of Shaftesbury*); After short Debate, Motion withdrawn

Milliners' Workrooms and Dormitories
Observations, The Earl of Shaftesbury, 1305;—Question, Mr. Bagwell; Answer, Sir G. Grey, 1315

Mills, Mr. A., *Taunton*
Business, Order of, 812
Hudson's Bay Company, 1618
India—The Budget, 1044
Offences (South Africa), 3R. 241

Mills, Mr. J. R., *Chepping Wycombe*
Uniformity Act Amendment, 2R. 1396

Milnes, Mr. R. M., *Pontefract*
India—Officers of the late Indian Army, 176, 177
Uniformity Act, Resolution, Amendt. 590, 599

Misappropriation by Servants Bill
(*Mr. Staniland, Sir M. Cholmeley, Colonel Pennant*)
c. Read 1° * *June* 9 [Bill 156]
Read 2°, after short Debate, *June* 24, 1397
Committee * and Report * *June* 26 (No. 193)

Mitford, Mr. W. T., *Midhurst*
Supply—Nelson Column, 549;—National Gallery, 1480, 1481

Moffatt, Mr. G., *Honiton*
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MONCREIFF, Right Hon. J. *see* ADVOCATE, The LORD

MONSELL, Right Hon. W., *Limerick Co.*
Civil Bill Courts (Ireland), 2R. 1027
Drainage and Improvement of Land (Ireland), 3R. 473
Fisheries (Ireland), Comm. *cl.* 4, 800; *cl.* 5, 972, 973; *cl.* 9, 1759, 1760; *cl.* 16, 1763
Irish Church Establishment, Comm. moved for, 1715, 1716
Poland—Affairs of, 1270
Supply—Public Buildings (Ireland), 470;—Public Education (Ireland), 1092, 1109, 1111, 1473, 1474
Uniformity Act Amendment, 2R. 1396

MONTAGU, Lord R., *Huntingdonshire*
Confederate States, Recognition of the, Resolution, Amendt. 1780, 1808, 1841
Poland—Affairs of, 1263
Supply—Harbours of Refuge, 455;—Light houses Abroad, 735

MONTGOMERY, Sir G. G., *Peebleshire*
Trout, &c. Fishing (Scotland), 2R. Amendt. 965

MORRISON, Mr. W., *Plymouth*
Uniformity Act, Resolution, 610

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MacLachlan, Jessie, Case of, 808, 1559

MURRAY, MR. W., *Newcastle-under-Lyme*
Chancery Fund Commissioners, 518

Mutiny (East India) Act Repeal Bill
(*Mr. Baring, Sir C. Wood, Judge Advocate*)
c. Read 1° * *June* 15 [Bill 166]
Read 2° * *June* 18
Committee—Motion, "That Mr. Speaker do now leave the Chair," *June* 19
Motion, "That this House do now adjourn" (*Mr. Wykeham Martin*); Motion withdrawn; Main Question agreed to
Bill considered in Committee and reported *
Read 3° * *June* 22
l. Read 1ª * *June* 23 (No. 153)

NAAS, Right Hon. Lord, *Cockermouth*
Business, Order of, 810, 812
Civil Bill Courts (Ireland), 2R. 1027
Fisheries (Ireland), Comm. *cl.* 4, 800, 801, 804, 969; *cl.* 9, 1761; *cl.* 16, 1763
Ireland, Condition of, Comm. moved for, 861
Marriages Registration (Ireland), Comm. *cl.* 7, 1021
Supply—Public Education (Ireland), 1111
Watchmen in Towns (Ireland), 3R. Amendt. 1222

Nagle, Mr., Employment of
Question, Mr. Fitzwilliam; Answer, Mr. C. Fortescue, 808

Naval Architecture, School of
Question, Sir J. Pakington; Answer, Lord C. Paget, 518

Naval Medical Supplemental Fund Society Winding-up Act (1861) *Amendment Bill* (No. 102.
(*Duke of Somerset*)
l. Read 2ª, after short Debate, *June* 25, 1426

Navy
Admiralty, Board of—Moved, "That a Select Committee be appointed to inquire into the constitution of the Board of Admiralty, and into the different Departments under the control of the Board" (*Mr. Dalglish*), *June* 9, 657; Debate adjourned

Navy Prize Money Bill
(*Sir John Hay, Admiral Duncombe, Sir J. Elphinstone*)
c. Read 1° *June* 1, 245 [Bill 147]
Read 2°, after Debate, *June* 17, 1008

NEWCASTLE, Duke of (Secretary of State for the Colonies)
Duchy of Cornwall Management, Comm. 384; *cl.* 8, 391; *cl.* 39, 393, 394, 395; Report, 564, 565, 566, 568; Amendt. 796
Ionian Islands—Cession of the, 1290; Paper moved for, 1734, 1741;—Removal of Judges, 1745, 1746, 1747, 1751, 1752
New Zealand—Affairs of, 1600, 1610
Royal Victoria Patriotic Asylum, 400

Newcastle upon Tyne (Saint Mary Magdalen Hospital) Bill
(*Mr. Lowe, Mr. Bruce*)
c. Read 1° * *June* 11 [Bill 162]
Read 2°, after short Debate, *June* 18, 1113
Considered in Committee *June* 25
cl. 1 to 8 agreed to
cl. 9 (Sale of the Advowson), Amendt. (*Mr. Lygon*), 1493; After short Debate, Amendt. withdrawn; *cl.* agreed to
cl. 10 and 11 agreed to
Schedule—Amendt. (*Mr. Lygon*), 1494; On Question, "That paragraph 12 stand part of the Schedule"—A. 59, N. 11, M. 48
Bill reported * *June* 25
Considered as amended * *June* 26
Read 3° * *June* 30

NEWDEGATE, Mr. C. N., *Warwickshire, N.*
Confederate States, Recognition of the, Resolution, 1840
Fisheries (Ireland), Discharge of Order for Comm. 711
India—Civil Fund, 5
Inspectors of Schools' Reports, 733
Irish Church Establishment, Comm. moved for, 1590, 1591
Maynooth College Act, Resolution, 256
Poland—Affairs of, 1261
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Uniformity Act, Resolution, 599; 2R. 1391

New Members Sworn
June 2—George Joachim Goschen, esquire, *for* London
June 11—Lieutenant Colonel Charles George Tottenham, *for* New Ross
June 12—Sir George Conway Colthurst, baronet, *for* Kinsale

New Writs Issued—
June 15—*For* Lisburn, *v.* John Doherty Barbour, esquire, void Election
June 22—*For* Berwick-on-Tweed, *v.* Charles William Gordon, esquire, deceased

New Zealand
Petition from Taranaki (*Lord Lyttelton*), 1596

New Zealand Boundaries Bill
c. Read 3° * *June* 1 [Bill 112]
Royal Assent *June* 8 [26 & 27 *Vict.*, c. 23]

NORMANBY, Marquess of
Ionian Islands—Paper moved for, 1740
Italy—Case of Mr. Bishop, 872, 966 ; Explanation, 1288

NORTH, Col. J. S., *Oxfordshire*
Mhow Court Martial—Sergeant Major Lilley, 865, 869 ;—Col. Crawley, 1438, 1439
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Business, Order of, 809
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Uniformity Act, Resolution, 612

Nuisances Removal Act (1855) *Amendment Bill*
(*Visct. Raynham, Mr. Scholefield*)
c. Read 1° * *June* 22 [Bill 179]

Oaths of Allegiance and Supremacy Bill
(*The Lord Campbell*)
l. Read 1ª *June* 22, 1228 (No. 150)

Oaths Relief in Criminal Proceedings (*Scotland*) *Bill*
l. Committee * *June* 30 (No. 72)

O'BRIEN, Sir P., *King's Co.*
Ireland, Condition of, Comm. moved for, 842
Lilley, Sergeant Major, Case of, 864, 869
Supply—Department of Science and Art, 764

O'CONOR DON, The, *Roscommon Co.*
Supply—Queen's University (Ireland), 940 ;—Public Education (Ireland), 1107, 1474

O'DONOGHUE, The, *Tipperary Co.*
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Drainage and Improvement of Land (Ireland), 3R. 473

O'DONOGHUE, The—*cont.*
Irish Church Establishment, Comm. moved for, 1587, 1709
Landlord and Tenant (Ireland), Commission moved for, 1355, 1358
Religious Endowments (Ireland), Comm. moved for, 475, 1434

O'FERRALL, Rt. Hon. R. M., *Kildare Co.*
Drainage and Improvement of Land (Ireland), 3R. 473
Religious Endowments (Ireland), Comm. moved for, 477
Supply — Public Buildings (Ireland), 470 ;—Queen's University (Ireland), 942 ;—Public Education (Ireland), 1112

Offences (*South Africa*) *Bill* (Lords)
c. Moved, "That the Bill be now read 3°," *June* 1, 240 ; Amendt. "upon this day three months" (*Mr. Adderley*), 240 ; Amendt. withdrawn [Bill 113]
Order for Third Reading read, and discharged
Bill re-committed ; considered in Committee—R.P.
Bill considered in Committee *June* 5, 474
Motion, "That the Chairman report Progress" (*Mr. Hennessy*)—A. 20, N. 40, M. 10, 475
After short Debate, Committee report Progress
Bill considered in Committee * and reported * *June* 11
Considered as amended * *June* 15
Read 3° * *June* 17
l. Returned from the Commons, agreed to, with Amendments * *June* 18 (No. 143)
Commons' Amendments considered, and agreed to * *June* 25
Royal Assent *June* 29 [26 & 27 *Vict.*, c. 35]

Officers of Royal Naval Reserve Bill
c. Read 2° * *June* 9 [Bill 142]
Committee * and Report * *June* 10
Read 3° * *June* 11
l. Read 1ª * (*Duke of Somerset*) *June* 12 (No. 131)
Read 2ª, after short Debate, *June* 23, 1294
Committee * *June* 25 ; Report * *June* 26

OGILVY, Sir J., *Dundee*
Statute Labour Roads and Bridges (Scotland), Comm. *cl.* 1, 1310 ; *cl.* 3, 1312
Statute Labour Roads and Bridges (Scotland) Transfer, Withdrawal of Bill, 1312

O'HAGAN, Rt. Hon. T. (Attorney General for Ireland) *Tralee*
Bride and Blackwater Rivers, Resolution, 983
Charitable Bequests (Ireland), 403
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Civil Assistants on the, Question, Mr. W. D. Seymour ; Answer, Marquess of Hartington, 1217

O'Reilly, Mr. M. W., *Longford Co.*
District Model Schools (Ireland), 1087, 1088
Landlord and Tenant (Ireland), Commission moved for, 1359
Supply—New Foreign Office, 377;—University of London, 938, 939;—Queen's University (Ireland), 940, 943;—Public Education (Ireland), Amendt. 1093, 1474, 1476
Watchmen in Towns (Ireland), Comm. 383

Osborne, Mr. R. B., *Liskeard*
Business of the House, 900
Business, Order of, 813
Fisheries (Ireland), Comm. 799; *cl.* 4, 800
Irish Church Establishment, Comm. moved for, 1560, 1584, 1590, 1685, 1689, 1701, 1702, 1706, 1708
Paraguay—Affairs of, 806
Supply—Purchase of Land, &c.—Exhibition of, 1851, 936;—Commissioners of Education (Ireland), 937
Wellington Funeral Car, Exhibition of, 1447

Overstone, Lord
West Hartlepool Harbour and Railway, Comm. moved for, 1302

Packe, Mr. C. W., *Leicestershire, S.*
Innkeepers' Liability (No. 1), Comm. 674
Landlord and Tenant (Ireland), Commission moved for, 1365
Malt Duties, Comm. moved for, 1382
Public-houses, 2R. 303

Paget, Rear-Adm. Lord C. E. (Secretary of the Admiralty) *Sandwich*
Admiralty, Board of, Comm. moved for, 667, 671
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French Vessel, Seizure of a, by H.M.S. "Zebra," 571
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c. Report of Select Comm.* *June* 18 [Bill 172]
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(*Mr. C. Fortescue, Mr. M. Gibson*)
c. Read 2° * *June* 4
Considered in Committee *June* 22, 1275
cl. 3 (Definition of Passenger Ship), Amendt. (*Mr. Cave*), agreed to
cl. 8 (as to Horses and Cattle), Amendt. (*Mr. C. Fortescue*), agreed to; Amendt. (*Mr. Cave*), agreed to, 1276; Amendts. (*Mr. Cave*), agreed to
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Remaining clauses agreed to
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Pier and Harbour Orders Confirmation Bill
(*Mr. M. Gibson Mr. Hutt*) [Bill 109]
c. Bill reported * *June* 2 [Bill 148]
Considered in Committee *June* 15
Moved, That so much of the Bill as relates to Rhyl Pier and the Provisional Order referring thereto be struck out (*Lord R. Grosvenor*), 964 ; After Debate, Amendt. negatived
Bill, as amended, considered *June* 22, 1279
Moved, "That the Bill be re-committed in respect of the Schedule, so far as the same relates to the Pier at Rhyl" (*Mr. Bass*)—A. 50, N. 19, M. 31
Bill considered in Committee, 1282
Moved, "That the Schedule be amended, by inserting the Provisional Order relating to the Pier at Rhyl" (*Mr Bass*)—A. 50, N. 28, M. 22
Bill reported * *June* 22
Considered as amended * *June* 23
Read 3° * *June* 24
l. Read 1ª * *June* 25 (No. 164)

PIGOTT, Mr. Serjeant G., *Reading*
Election Petitions, 2R. 685
MacLachlan, Jessie, Case of, 1558
Mhow Court Martial, 449
Pier and Harbour Orders Confirmation, Consid. 1281

Poisoning Bill
(*Visct. Raynham, Mr. Wykeham Martin*)
c. Read 1° * *June* 22 [Bill 181]
Motion, "That the Bill be now read 2°" (*Visct. Raynham*) *June* 30, 1841; Amendt. "upon this day three months" (*Sir G. Grey*); After short Debate, Question, "That 'now' &c." negatived; Words added
Main Question, as amended, agreed to; Bill put off for three months

Poland
Affairs of, Question, The Earl of Ellenborough; Answer, Earl Russell, 479;—Question, Mr. Baillie Cochrane; Answer, Mr. Hennessy, 706;—Question, Mr. Horsman; Answer, Mr. Layard, 1444;—Question, Mr. Bentinck; Answer, Mr. Hennessy, 1525;—Observations, Earl Russell, 1611;—Notice of Motion (Marquess of Clanricarde), withdrawn, 1612;—Observations, Mr. Horsman, 1663
Mr. Hennessy's Notice of Motion on Affairs of Poland, Moved, "That the Orders of the Day be postponed till after the Notice of Motion on the Affairs of Poland" (*Visct. Palmerston*), 1253; After Debate, Question put—A. 110, N. 165, M. 55; Motion, "That this House do now adjourn" (*Mr. Horsman*); After Debate, Motion negatived
Alleged Russian Cruelties, Question, Visct. Stratford de Redcliffe; Answer, Earl Russell, 1114
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Parl. Papers—
Correspondence in 1856 . . . [3097]
" relating to, Part I. [3111]
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" " " Part IV. [3213]
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" respecting Insurrect. [3150]
Negotiations of 1814-15 . . . [3188]
Translation of Paper, 1814-15 . [3192]

Police and Improvement (*Scotland*) (*Provisional Order*) *Bill*
(*Mr. Bruce, Sir G. Grey*)
c. Read 1° * *June* 23 [Bill 184]
Read 2° * *June* 25

POLLARD-URQUHART, Mr. W., *Westmeath Co.*
Labourers' Cottages (Ireland), Resolution, 816
Landlord and Tenant (Ireland), Commission moved for, 1344
Supply—Public Education (Ireland), 1102

POLWARTH, Lord
Prison Ministers, 3R. *cl.* 3, Amendt. 1244

Poor Law Board Continuance Bill
(*Mr. Villiers, Mr. Gilpin*)
c. Read 1° * *June* 24 [Bill 163]
Read 2° * *June* 30

Poor Law Rating and Assessment
Amendt. on Committee of Supply (*June* 19)—Returns moved for (*Mr. Hubbard*), 1185; After Debate, Amendt. withdrawn

Poor Relief
Select Committee appointed * *June* 19, "to inquire into the administration of the Relief of the Poor under the Orders, Rules, and Regulations issued by the Poor Law Commissioners and the Poor Law Board, pursuant to the provisions of the Poor Law Amendment Act, and into the operation of the Laws relating to the Relief of the Poor.
Committee—Mr. Villiers, Mr. Caird, Lord Edward Howard, Mr. Kekewich, Mr. Ayrton, Sir John Acton, Sir William Jolliffe, Mr. Walpole, Mr. Lyall, Mr. Alderman Sidney, Mr. Lowe, Mr. Bazley, Sir George Bowyer, Lord Fermoy, Mr. John Tollemache, Mr. Monckton Milnes, Mr. Locke, Lord Robert Cecil, Mr. Edward Pleydell Bouverie, and Colonel Pennant
Report of Select Committee, *Parl. P.* 383

Poor Removal (*No.* 2) *Bill* [*Mr. Herbert*]
(*Mr. Herbert, Mr. Monsell, Mr. Hutt*) [Bill 96]
c. Considered in Committee *June* 22, 1282
cl. 1 (Removal of Natives of England or Scotland), Amendt. (*Mr. C. Turner*), 1283; After Debate—A. 73, N. 43, M. 30
Motion, "That the Chairman report Progress" (*Mr. Herbert*), agreed to, 1286
Committee report Progress
Order for Committee discharged (*Mr. Herbert*), *June* 25; Bill withdrawn, 1496

Poor Removal (*No.* 3) *Bill* [*Mr. Villiers*]
(*Mr. Villiers, Mr. Bruce*) [Bill 140]
See *Removal of Irish Poor Bill*

Port-Erin Harbour (*Isle of Man*) *Bill*
(*Mr. Milner Gibson, Mr. Hutt*)
c. Read 2° * *June* 1 [Bill 123]
Committee * and Report * *June* 23
Considered as amended * *June* 24
Read 3° * *June* 25
l. Read 1ª * *June* 26 (No. 169)

PORTMAN, Lord
Duchy of Cornwall Management, Comm. 390; Report, 567
Ecclesiastical Commissioners, Resolution, 1241
Leases and Sales of Settled Estates Act Amendment (H.L.), Comm. *add. cl.* 1425

Post Offices, District
Question, Sir De L. Evans; Answer, Mr. Peel, 1

Postmaster General (*Sale of Land*) *Bill*
(*Mr. Peel, Sir William Dunbar*)
c. Ordered * *June* 9
Read 1° * *June* 18 [Bill 174]
Read 2° * *June* 23
Committee * and Report * *June* 24
Read 3° * *June* 25
l. Read 1ª * *June* 26 (No. 168)
Read 2ª * *June* 30

Potter, Mr. E., *Carlisle*
Volunteers, Comm. *cl.* 19, 351

Powell, Mr. F. S., *Cambridge*
Education, Report, 403
Supply—Public Education (Great Britain), 752;—Queen's University (Ireland), 941, 943

Powell, Mr. J. J., *Gloucester*
Supply—Rates for Government Property, 739

Powis, Earl
Duchy of Cornwall Management, Comm. *cl.* 39, 394; Report, 567
Leases and Sales of Settled Estates Act Amendment [H.L.], Comm. *add. cl.* 1426

Prisons (*Ireland*) *Bill*
(*Sir H. Bruce, Sir F. Heygate*)
c. Read 1° * *June* 22 [Bill 178]
Read 2° * *June* 30

Prison Ministers Bill (No. 109)
l. Moved, "That the Bill be now read 2ª" (*The Duke of Somerset*) *June* 8, 496; Amendt. "this day six months" (*Lord Berners*), 499; After long Debate, on Question "That 'now' &c."—Cont. 65, Not-Cont. 30, M. 35
Bill read 2ª
Division List—Cont. and Not-Cont. 514
House in Committee *June* 15, 880
cl. 1 agreed to
cl. 2 (Application of Act), Proviso moved (*Lord Berners*); negatived; *cl.* agreed to
cl. 3 (Additional Ministers in Prisons), Amendt. (*Lord Lyveden*), 886
After Debate, Amendts. made (No. 137)
Amendts. reported (*Duke of Somerset*) *June* 18, 1035
cl. 4 (Keepers of Prisons to register religion of Prisoners), Amendt. (*Earl of Belmore*); Amendt. postponed, 1036; Further Amendts. moved, and negatived (No. 146)
Bill read 3 * *June* 22
Amendt. at the end of *cl.* 3 (*Lord Polwarth*), agreed to; Words added
Amendt. at the end of *cl.* 4 (*Earl of Belmore*), agreed to; Words added
Amendt. in *cl.* 5 (*The Lord Redesdale*); Motion negatived
Bill passed
c. Lords' Amendts. considered *June* 30 [Bill 191]
Amendt. to *cl.* 3—Amendt. moved thereto (*Sir G. Grey*); Question, "That those words stand part of the Amendt."—A. 19, N. 28, M. 9; Amendt., as amended, agreed to
Subsequent Amendt. agreed to

Prison Ministers Bill—cont.
Parl. Papers—*Commons* . . . Bill 24
Lords' Amendments . . . Bill 191
Lords' Amendments . . . Bill 247
Lords . . . No. 109
As amended in Committee . No. 137
As amended on Report . . No. 146
Commons' Amendments . . No. 178

Prisoners Removal (*Scotland*) *Bill*
(*The Lord Advocate, Sir G. Grey*)
c. Ordered * *June* 25

Pritchard, Mr., late Consul at the Feejee Islands
Question, Mr. Crawford; Answer, Mr. Layard, 898

Private Bill Legislation
Report of Select Committee * *June* 24 [No. 385]

Public Accounts
Second Report of Select Committee * *June* 2 [No. 309]

Public Houses Bill
(*Mr. Somes, Mr. Pease*) [Bill 67]
c. Observations, Mr. Somes, 246
Motion, "That the Bill be now read 2°" (*Mr. Somes*) *June* 3, 277; Amendt. "upon this day six months" (*Capt. Jervis*), 287; After long Debate, on Question "That 'now' &c."—A. 103, N. 278, M. 175
Bill put off for three months

Public Works and Buildings, Permanent Commissioner of
Amendt. on Committee of Supply *June* 5—Resolution (*Mr. Baillie Cochrane*), 406; After Debate, Amendt. withdrawn, 414

Public Works and Fisheries Acts Amendment Bill
(*Mr. Peel, Mr. Chancellor of the Exchequer*)
c. Ordered * *June* 26
Read 1° * *June* 30 [Bill 198]

Public Works (*Manufacturing Districts*) *Bill—Rules of Debate*
Observations and Question, Mr. Hennessy; Answer, Mr. Speaker, 520

Public Works (*Manufacturing Districts*) *Bill*
(*Mr. Villiers, Mr. Chancellor of the Exchequer*)
c. Ordered *June* 5, 478
Read 1° * *June* 8 [Bill 154]
Read 2°, after long Debate, *June* 18, 1050
Considered in Committee *June* 26
cl. 1 (Charge on Consolidated Fund of £ to be at disposal of Public Works Loan Commissioners), Moved, to insert the sum of £1,200,000 (*Mr. Villiers*), 1517; Motion agreed to; *cl.* agreed to
cl. 2 agreed to
cl. 3 (Power for Commissioners to lend, and for Local Boards to borrow), Amendt. (*Mr. Gregson*), after short Debate, withdrawn, 1518; Amendt. (*Mr. Henley*), agreed to; *cl.*, as amended, agreed to

Public Works (Manufacturing Districts) Bill—cont.
cl. 4 to 8 agreed to
cl. 9 (Additional Powers for Local Boards to execute works), after Debate, *cl.* agreed to, 1518
cl. 10 agreed to
cl. 11 struck out
Remaining Clauses agreed to
new cl. (Power to abandon the Local Government Act) (*Mr. Villiers*), After short Debate, *cl.* added, 1522
Preamble agreed to
Bill reported [Bill 192]
Considered as amended *June* 29, 1619
Read 3°* *June* 30
Parl. Papers—*Commons* . . Bill 154
As amended in Committee . Bill 192

Public Works (Manufacturing Districts) [Advances]
Considered in Committee *June* 25; Resolution (*Mr. Chancellor of the Exchequer*), 1490
Resolution reported *June* 26; After Debate, Resolution agreed to, 1507

Pugh, Mr. D., *Carmarthenshire*
Poor Law Rating and Assessment, Return moved for, 1189
Supply—Report, Resolution 7, 953

Puller, Mr. C. W. G., *Hertfordshire*
Alkali Works Regulation, Comm. *cl.* 4, Amendt. 1167, 1168, 1169, 1170; *add. cl.* Amendt. 1175
Supply—Rates for Government Property, 744; —Public Education (Great Britain), 753, 758

Railway Accidents
Question, Lord Brougham; Answer, Earl Granville, 149

Rate in Aid for Distressed Unions
Question, Lord G. Cavendish; Answer, Mr. C. P. Villiers, 1047

Ravensworth, Lord
West Hartlepool Harbour and Railway, Resolution, 1301

Raynham, Viscount, *Tamworth*
Casual Poor, Admission of, to Workhouses, 523, 573
Corporal Punishment in Schools, 2R. 1842
Poisoning, 2R. 1841

Redemption of Rents (Ireland) Bill [H.L.]
(*The Lord Chelmsford*) (No. 110)
l. House in Committee (on re-commitment) *June* 12, 795
cl. 10 (Reservations to go with the Rent), Amendt. (*Earl of Donoughmore*), agreed to, 795; *cl.*, as amended, agreed to (No. 184)
Amendts. reported *June* 15, 895 (No. 139)
Read 3ª* *June* 18

Redesdale, Lord (Chairman of Committees)
Bakehouses Regulation, 2R. 396
Business, Private—Suspension of Standing Order, 1114
Duchy of Cornwall Management, Comm. 389; Report, Amendt. 564, 568
International Exhibition Building, 1034
Prison Ministers, 3R. *cl.* 5, Amendt. 1244
Waywardens' Contracts, 2R. 1423
West Hartlepool Harbour and Railway, Comm. 1304

Redmond, Mr. J. E., *Wexford Bo.*
Fisheries (Ireland), Comm. *cl.* 4, Amendt. 804, 969

Refreshment Department (Commons)
Second Report [No. 336] *June* 17; Third Report [No. 384] *June* 23
Question, Mr. Henry Seymour; Answer, Col. French, 698

Regimental Debts, &c. Bill
(*The Marquess of Hartington*)
c. Read 1°* *June* 3 [Bill 149]
Read 2°* *June* 11
Committee* and Report* *June* 12
Read 3°* *June* 15
l. Read 1ª* *June* 16 (No. 141)
Read 2ª* *June* 22
Committee* *June* 26; Report* *June* 30

Removal and Punishment of Prisoners Bill
(*The Lord Advocate, Sir G. Grey*)
c. Read 1°* *June* 29 [Bill 194]

Removal of Irish Poor Bill
(*Mr. Villiers, Mr. Bruce*) [Bill 140]
c. Read 2°* *June* 4
Committee* and Report* *June* 19
Considered as amended* *June* 26
Read 3°* *June* 30

Repton, Mr. G. W. J., *Warwick*
Supply—New Houses of Parliament, 229

Rhyl Pier
Question, Mr. Humberston; Answer, Mr. Milner Gibson, 1524
See *Pier and Harbour Orders Confirmation*

Richmond, Duke of
Volunteers, 2R. 1245; Comm. *cl.* 35, Amendt. 1427

Ridley, Sir M. W., *Northumberland, N.*
Alkali Works Regulation, Comm. *cl.* 12, 1171
Supply—Royal Parks, 223, 224;—New Houses of Parliament, 229;—Nelson Column, 546, 549, 550;—Department of Science and Art, 764

Robertson, Mr. H., *Shrewsbury*
Pier and Harbour Orders Confirmation, Consid. 1281

Roebuck, Mr. J. A., *Sheffield*
Confederate States, Recognition of the, 1527; Resolution, 1771, 1826, 1841
Innkeepers' Liability (No. 1), Comm. *add. cl.* 674
International Exhibition—Capt. Fowke's Design, 980
Landlord and Tenant (Ireland), Commission moved for, 1343

Rogers, Mr. J. J., *Helston*
Supply—New Houses of Parliament, 229 ;—Embassy Houses Abroad, 369
Volunteers, Comm. *cl.* 19, 351

Rose, Mr. Ald. W. A. (Lord Mayor of London) *Southampton*
Ballot, Leave, 995
Civil Assistants on the Ordnance Survey, 1217
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Rowley, Hon. Col. R. T., *Harwich*
British Guiana, Chief Justiceship of, 569
Pier and Harbour Orders Confirmation, Consid. 1281
Stour, River, Conservancy of the, 1765

Rules of Debate—Public Works (Manufacturing Districts) Bill
Observations and Question, Mr. Hennessy ; Answer, Mr. Speaker, 520

Russell, Earl (Secretary of State for Foreign Affairs)
Brazil—Relations with, 150 ; Papers moved for, 1137, 1140 ;—Mr. Christie, 1293
British Commerce and the American Cruisers, Papers moved for, 881
Burial Service, Commission moved for, 166
Ionian Islands—Cession of the, 1290 ; Paper moved for, 1728
Italy—Case of Mr. Bishop, 872, 1288, 1289
Poland—Affairs of, 484, 1611, 1614 ;—Convention between Russia and Prussia, 695, 697 ;—Alleged Russian Cruelties, 1116 ;—Gen. Mouravieff, 1718
Slave Trade—Brazil, 1228 ;—Spain, 1497
United States—Prize Courts, 1506 ;—Communication from the French Government, 1719

Ruthin Charities Bill
(*Mr. Lowe, Mr. Bruce*)
c. Read 1° * *June* 11 [Bill 161]
Read 2° * *June* 18
Committee * and Report * *June* 22
Considered as amended * *June* 23
Read 3° * *June* 25
l. Read 1ª * *June* 26 (No. 166)

Rutland, Duke of
International Exhibition Building, 1030
Poland—Affairs of, 489

St. Davids, Bishop of
Burial Service, Commission moved for, 163

St. Germans, Earl of (Lord Steward of the Household)
Vaccination (Ireland), 2R. 396

St. Leonards, Lord
Duchy of Cornwall Management, Comm. *cl.* 39, 394
Leases and Sales of Settled Estates Act Amendment [H.L.], Comm. *add. cl.* 1425
Royal Patriotic Asylum, 397

Sale of Mill Sites (Ireland) Bill
(*Mr. Peel, Mr. Chancellor of the Exchequer*)
l. Read 2ª * *June* 25 (No. 105)
Committee * *June* 30

Salmon Fisheries (Scotland) Act Continuance Bill
(*Lord Stanley of Alderley*)
l. Read 2ª * *June* 8 (No. 112)
Committee * *June* 15 (No 138); Report * *June* 16
Read 3ª * *June* 18

Salomons, Mr. Alderman D., *Greenwich*
Greenwich Hospital, 1216
London (City) Traffic Regulation, Comm. moved for, 1248
Supply—Public Buildings, 211 ;—Repair of Furniture, 213 ;—New Foreign Office, 373, 377 ;—Westminster Bridge, 379, 380 ;—Lighthouses Abroad, 736 ;—Rates for Government Property, 737, 745 ;—Vancouver's Island, 1483

Salt, Export of, to France
Question, Mr. Tollemache ; Answer, Mr. Layard, 1047

Savings Banks Act Amendment Bill [*Sir Henry Willoughby*] [Bill 80]
(*Sir H. Willoughby, Mr. Ayrton*)
Bill considered in Committee *June* 10, 676
cl. 1 to 4 agreed to
cl. 5 (Titles to be assumed by Savings Banks), after short Debate, agreed to, 676
cl. 6 (Attendance of Trustees or Officers), Amendt. (*Mr. Crum-Ewing*), withdrawn, 676
cl. 7 to 62, inclusive, agreed to
cl. 63, 64, 65, and 66 struck out
Remaining clauses agreed to
new cl. (as to Premiums on Policy of Insurance) (*Mr. Hibbert*), 677 ; After short Debate, withdrawn
Bill reported * *June* 10 [Bill 158]
Considered as amended * *June* 23 [Bill 183]
Read 3° * *June* 30

Savings Banks Monies Bill
l. Committee * and Report * *June* 1 [Bill 97]
Read 3ª * *June* 2
Royal Assent *June* 8 [26 & 27 *Vict.*, c. 25]

Schools, Reports of Inspectors of
Question, Mr. W. E. Forster ; Answer, Mr. Lowe, 717

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(1.) £236,016, to complete the sum for Public Education in Ireland 1470
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(4) £3,141, to complete the sum for Magnetic and Meteorological Observations &c.
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After short Debate, Vote agreed to
(13) £9,000, Stipendiary Justices, West India Colonies
(14) £10,230, to complete the sum for the Civil Establishments on the West Coast of Africa 1484
Amendt. "That the Item of £2,000, for the Civil Establishments at Lagos, be omitted" (*Sir F. Baring*); After Debate, negatived... 1484
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(15.) £5,602, St. Helena
(16.) £700, Orange River Territory (Cape of Good Hope)
(17.) £5,000, British Kaffraria
(18.) £960, Heligoland
(19.) £4,286, Falkland Islands
(20.) £4,850, to complete the sum for Labuan
(21.) £300, Pitcairn's Islanders in Norfolk Island
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(24.) £6,720, to complete the sum for Emigration
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(26.) £71,054, to complete the sum for Establishments in China, Japan, and Siam
(27.) £23,000, to complete the sum for Extraordinary Disbursements of Her Majesty's Embassies and Missions Abroad.
(28.) £30,000, to complete the sum for Special Missions, Diplomatic Outfits, &c., Colonial Officers and others
(29.) £2,825, to complete the sum for Salaries of Third Secretaries at Her Majesty's Embassies and Missions Abroad ... 1489
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(30.) £4,300, North American Boundary Commission 1490
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Sykes, Col. W. H., *Aberdeen City*
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Telegraphic Cable between Malta and Alexandria
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Telegraphic Communication with America
Question, Mr. Cave; Answer, Mr. Layard, 896

Telegraphs Bill (No. 86)
l. Order for Committee read, and discharged; Bill referred to a Select Committee *June* 4
Committee—D. Richmond, M. Bath, Ld. Steward, E. Shrewsbury, E. Devon, E. Romney, E. Stradbroke, L. Blantyre, L. Wodehouse, L. Redesdale, L. Somerhill, L. Portman, L. Stanley of Alderley, L. Lyveden; Earl of Airlie *added*, *June* 5
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Thames Conservancy Committee
Mr. Hankey *added*, *June* 4

Thames Embankment (North Side) Bill
(*The Lord Stanley of Alderley*) (No. 107)
l. Read 2ª *, and committed to a Select Committee, *June* 8
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Read 3ª * *June* 25
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Thames Embankment (South Side) Bill
(*Mr. Cowper, Mr. Peel*) [Bill 65]
c. Select Committee—Mr. W. Cubitt *discharged*, Mr. Tite *added*, *June* 17
Bill reported from Select Committee, and re-comm. *June* 18

Thames Embankment (South Side) Bill—cont.
Considered in Committee on re-comm. *June* 22
cl. 1 to 24 agreed to
cl. 25, Amendt. (*Mr. Cox*), 1277; After short Debate, agreed to; *cl.* agreed to
cl. 26 to 28 agreed to
cl. 29 agreed to, 1278
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Read 3º * *June* 24
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Metropolis Main Drainage (Guarantee of Repayment of Money), Comm. Resolution, 1844
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Corporal Punishment in Schools, 2R. Amendt. 1842

Trollope, Rt. Hon. Sir J., *Lincolnshire, S.*
Poor Removal (No. 2), Comm. *cl.* 1, 1287

Trout, &c. Fishing (Scotland) Bill
(*Mr. William Ewart, Colonel Sykes*)
c. Read 1º * *June* 1, 245 [Bill 146]
Motion, "That the Bill be now read 2º" (*Mr. W. Ewart*) *June* 15, 965; Amendt. "upon this day three months" (*Sir G. Montgomery*); Question "That 'now' &c."—A. 12, N. 37, M. 25; Words added
Main Question, as amended, agreed to; Second Reading put off for three months

Truro, Lord
Volunteers, 2R. 1246

Turkey and her Dependencies
Amendt. on Committee of Supply (*May* 29)—Address for further Papers (*Mr. Gregory*), 6; After long Debate, Amendt. withdrawn

Turner, Mr. C., *Lancashire, S.*
Poor Removal (No. 2), Comm. *cl.* 1, Amendt. 1283, 1284

Turner, Mr. J. A., *Manchester*
Public Works (Manufacturing Districts) [Advances], Report, 1509

Turnpike Roads
Question, Sir B. Leighton; Answer, Sir G. Grey, 570

Uniformity Act
c. Motion, "That, in the opinion of this House, the subscription required from the Clergy to the Thirty-nine Articles, and to the Prayer-book, ought to be relaxed" (*Mr. Buxton*), 590; Amendt. (*Mr. Monckton Milnes*), 594; Question "That the words proposed to be left out, &c." put, and agreed to; Original Question again proposed; Previous Question moved (*Sir G. Grey*); After long Debate, Previous Question, "That that Question be now put," put, and negatived

Uniformity, Act of, Amendment Bill [Bill 104]
(*Mr. E. P. Bouverie, Mr. Pollard-Urquhart*)
c. Moved, "That the Order for 2R. be discharged" (*Mr. E. P. Bouverie*) *June* 24, 1385; After Debate, Motion agreed to; Order discharged
Bill withdrawn

United States
Blockade, The, Question, Lord R. Cecil; Answer, Mr. Layard, 1253
British Vessels, Seizure of—American Prize Courts, Amendt. on Report of Committee of Supply *June* 29—Papers moved for (*Mr. Peacocke*), 1633; After long Debate, Question "That the words proposed to be left out &c." agreed to
Commerce, British, and the American Cruisers, Motion for Copies of Reports (*Marquess of Clanricarde*), 874; After Debate, Resolved in the Negative
"*Gibraltar,*" *The,* Question, Mr. Horsfall; Answer, Mr. Layard, 1764;—Question, Lord R. Cecil; Answer, The Solicitor General, 1764
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Southern Confederacy, Recognition of the, Question, The O'Donoghue, Answer, Mr. Roebuck, 1527; Question, Mr. W. E. Forster; Answer, Mr. Layard, 1769;—Motion, "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to enter into negotiations with the great powers of Europe, for the purpose of obtaining their co-operation in the recognition of the Independence of the Confederate States of North America (*Mr. Roebuck*), *June* 30, 1771; After long Debate, Debate adjourned
"*Will o' the Wisp,*" *Seizure of the,* Question, Mr. Crawford; Answer, Mr. Layard, 323
Parl. Papers—
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Correspondence, 1863—
No. 1 The Civil War . . . . . [3107]
No. 2 The Blockade . . . . . [3108]
No. 3 The "Alabama" . . . . [3109]
No. 4 Despatches and Papers . . [3119]
No. 5 Neutral Vessels and Mails . [3127]
No. 6 Neutral Rights and Duties . [3128]
No. 7 Mail-bags to Matamoras. . [3144]
No. 8 Confederate Agents in England [3146]
No. 9 Enlistment of British Subjects [3147]
No. 10 Seizure of Mails in "Adela" [3149]
No. 11 Trade with Matamoras . . [3183]
No. 12 Seizure of "Will-o'-the-Wisp" [3195]
No. 13 Foreign Enlistment Act . . [3200]
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Vaccination (Ireland) Bill (No. 108)
(*Earl of St. Germans*)
l. Bill read 2ª, after short Debate, *June* 5, 396
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(*The Lord Advocate, Sir Wm. Dunbar*)
c. Read 2º* *June* 4
Considered in Committee *June* 23, 1307
cl. 1 (Appointment of Vaccinator), after short Debate, agreed to
cl. 2 (Contract with Public Vaccinator), Amendt. (*Mr. Blackburn*), agreed to, 1309; *cl.*, as amended, agreed to
cl. 3 to 8 agreed to
cl. 9 (Parents or Guardians to cause Children to be Vaccinated), Amendt. (*Sir Andrew Agnew*); *cl.*, as amended, agreed to
cl. 15 struck out
Remaining clauses agreed to
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(*Marquess of Hartington, Judge Advocate*)
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cl. 1 to 6 agreed to
cl. 7 (Power for Volunteer to quit Corps), Amendt. (*Mr. H. Lewis*), 343; After Debate, Amendt. withdrawn; *cl.* agreed to
cl. 8 (Volunteer taking service in Militia or Army) agreed to
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cl. 20 (Provision for Men disabled, and for Widows), agreed to
cl. 21 (Discipline while not on actual Service), Amendt. (*Sir R. Clifton*), 353; After Debate, on Question "That the words proposed to be left out &c."—A. 108, N. 21, M. 87; *cl.* agreed to
cl. 22 and 23 agreed to
cl. 24 (Power for Corps to make Rules), Amendt. (*Mr. H. Lewis*) negatived; *cl.* agreed to, 365
cl. 25 (Property of Corps vested in Commanding Officer) agreed to
cl. 26 (Storehouses for Arms), Amendt. (*Mr. Humberston*), 365; Amendt. withdrawn; *cl.* agreed to
cl. 27 to 47 agreed to, with verbal Amendments
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Main Question agreed to; Bill read 3°, and passed
l. Read 1ª * *June* 16 (No. 140)
Moved, "That the Bill be now read 2ª" (*Earl de Grey and Ripon*), *June* 22, 1244; After short Debate, Motion agreed to
Bill read 2ª *June* 22, 1244
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cl. 1 to 34 agreed to
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(*Mr. Bagwell, Mr. Waldron*) [Bill 102]
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Moved, "That the Bill be now read 3°," *June* 19; Amendt. to leave out "now," and add "upon this day three months" (*Lord Naas*), 1222; Motion "That this House do now adjourn" (*Capt. Carnegie*); Motion withdrawn; After short Debate, Question "That 'now' &c." negatived; Words added
Main Question, as amended, agreed to
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(*Lord Redesdale*)
l. Read 1ª * *June* 18 (No. 148)
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Wellington Funeral Car at St. Paul's, Exhibition of the
Question, Mr. C. Bentinck; Answer, Mr. Cowper, 1445

Welsh Mails
Question, Mr. R. P. Long; Answer, Mr. Peel, 1313

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West Hartlepool Harbour and Railway Bill
l. Moved, That Special Report and Evidence be referred to Her Majesty's Attorney General (*Earl of Donoughmore*), 1294; After short Debate, Motion withdrawn
Moved, "That a Select Committee be appointed to inquire and report as to what Legislative Measures are desirable for the Purpose of restraining Directors of Railway Companies from exceeding the Limits of the borrowing Powers fixed by their Act of Parliament; from evading those Provisions of their Act of Parliament which require that a certain Portion of their authorized Capital shall be subscribed and paid up before their borrowing Powers can come into operation, and from expending the Funds of Companies for Purposes foreign to their Undertakings and unauthorized by the Legislature; and also to inquire what Securities can be given to the Holders of Debentures as to the Validity and Legality of the Issue of such Bonds" (*The Earl of Donoughmore*), 1302
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c. Moved, "That a Select Committee be appointed to inquire into the improvement of the Approaches to the New Palace of Westminster" (*Mr. Tite*), *June* 23, 1382; After short Debate —A. 40, N. 15, M. 25
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